



## OFFICE OF THE COUNTY COUNSEL

Hall of Records, Room 535, Newark, New Jersey 07102

973.621.5003 --- 973.621.4599 (Fax)

**Joseph N. DiVincenzo, Jr.**

Essex County Executive

**Courtney M. Gaccione**

Essex County Counsel

June 8, 2020

Austin Evers  
records@americanoversight.org  
(202) 919-6303

Re: OPRA Request No. 4719, "Email communications between individuals and ICE"

Dear Mr. Evers,

The OPRA Office of Essex County received your Open Public Records Act (hereafter "OPRA") request on April 27, 2020. The official Records Custodian, Olivia Schumann, Esq., received your OPRA request on April 27, 2020.

On March 16, 2020, the New Jersey State Assembly passed Assembly Bill No. 3849 which permits a government agency twenty-one (21) calendar days to respond to an OPRA request "during a period declared pursuant to the laws of this State as a state of emergency, public health emergency, or state of local disaster emergency." Assembly Bill No. 3849. Presently, numerous Departments within Essex County are encouraged to work remotely from home in an effort to contain the spread of the novel coronavirus which means that these employees will not be able to search physical records in response to OPRA requests. As such, the extended deadline for the County's response to your request concludes on June 8, 2020 so as to allow the relevant Departments sufficient time to locate and redact any responsive records if same exist in their possession. Your OPRA request sought access to the following from the Office of the County Executive:

"American Oversight requests that Essex County produce the following records within seven business days:

All email communications (including emails, complete email chains, email attachments, calendar invitations, and calendar invitation attachments) between (a) any individual listed below and (b) any U.S. Immigration and Customs Enforcement employee (@ice.dhs.gov).

- a) County Executive Joseph N. DiVincenzo, Jr.
- b) Chief of Staff Philip B. Alagia
- c) Deputy Chief of Staff M. Teresa Ruiz
- d) Deputy Chief of Staff William D. Payne
- e) Any individual acting in the capacity of liaison to Immigration and Customs Enforcement
- f) Any individual acting in the capacity of General Counsel for the county of Essex, New Jersey

Please provide all responsive records from April 13, 2020, through April 27, 2020.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In addition, American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.”

The Office of the County Executive has produced a total of thirty-six (36) pages of records which are responsive to your request. Access to these records is lawfully granted, subject to numerous redactions, the legal justifications for which are set forth in detail below. Same are enclosed with this response letter.

OPRA “operates to make identifiable government records readily accessible for inspection, copying, or examination.” MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005) citing N.J.S.A. 47:1A-1. OPRA requires that a public agency sufficiently look for and disclose “identifiable government records not otherwise exempt.”

Id. at 549. However, OPRA is not “a research tool litigants may use to force government officials to identify and siphon useful information.” Id. at 546. The Appellate Division, citing a holding by the Government Records Council (hereafter “GRC”), emphasized that “OPRA does not require record custodians to conduct research among its records for a requestor and correlate data from various government records in the custodian's possession.” Id. at 546-47 citing Reda v. Tp. of West Milford, GRC Complaint No. 2002–58 (January 17, 2003). Further, “wholesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed” by OPRA because it “does not countenance open-ended searches of an agency's files.” Id. at 549.

In Elcavage v. West Milford Township, the GRC set forth the necessary components an OPRA request for emails must contain in order to comport with MAG Entertainment to specifically identify an email. The GRC held that an OPRA request for emails must contain...

- “(1) The **content** and/or **subject** of the e-mail,
- (2) The **specific date** or **range of dates** during which the e-mail was transmitted and
- (3) A valid e-mail request must **identify the sender** and/or the **recipient** thereof.”

Elcavage v. West Milford Township, GRC Complaint No. 2009-07 (April 2010), emphasis added.

Your request is presently improper for a number of reasons as it fails to specifically identify the emails sought as is required by MAG Entertainment and Elcavage. First, your request is improper to the extent that it seeks the production of emails to/from “any individual acting in the capacity of liaison to Immigration and Customs Enforcement” as well as “any individual acting in the capacity of General Counsel for the County of Essex, New Jersey” as you have not sufficiently identified these senders and/or recipients. Additionally, your request fails to identify the content and/or subject of the emails sought, in direct contravention of Elcavage.

When a request is “complex” because it fails to specifically identify the documents sought, then that request is not “encompassed” by OPRA. New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 180 (App. Div. 2007). A proper request under OPRA must identify with reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents. Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA request.

On April 27, 2020, a letter requesting written clarification of your request was transmitted to you via the online OPRA Portal wherein Essex County asked that you respond in writing to identify **the content and/or subject of the emails sought in your OPRA request.** The letter further explained that specification of the content/subject matter of the emails sought was particularly important to narrow your overly broad request so as to enable the Office of the County Executive to conduct a proper search of their records. As no written clarification has been provided to date, your request remains improper as it fails to identify the content/subject matter of the requested emails as required by MAG Entertainment and Elcavage.

It is well established that OPRA allows a custodian of records to either deny access to or redact that information which is exempt from access, under OPRA or any other law. Truland v. Borough of Madison, GRC Complaint No. 2006-88 (September 2007).

OPRA's definition of a "government record" intentionally exempts certain information from disclosure. N.J.S.A. 47:1A-1.1 defines a "government record" for the purpose of OPRA and also lists that information "which is deemed confidential" as it does not constitute a "government record." N.J.S.A. 47:1A-1.1. Additionally, OPRA places an express obligation on a public agency regarding the production and disclosure of records and mandates that...

**"A public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."**

N.J.S.A. 47:1A-1, emphasis added.

This section undeniably places an affirmative obligation on the County of Essex to protect the reasonable expectation of privacy of those submitting information to the County for a legitimate purpose. Accordingly, those portions of any of the responsive emails which contain non-public personal information, personal email addresses or other contact information of either the sender or recipient have been lawfully redacted and access to same is properly denied under N.J.S.A. 47:1A-1. As all responsive documents have been provided to you, OPRA Request No. 4719 is now considered closed.

If your request for access to a government records has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the OPRA Office of Essex County to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC)

by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at [grc@dca.state.nj.us](mailto:grc@dca.state.nj.us), or at their web site at [www.state.nj.us/grc](http://www.state.nj.us/grc). The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Regards,

*/s/ Olivia Schumann, Esq.*

Olivia Schumann, Esq.

OPRA Custodian of Records

Assistant County Counsel

[oprarequests@counsel.essexcountynj.org](mailto:oprarequests@counsel.essexcountynj.org)

OS  
Encl.

## Joseph N. DiVincenzo

---

**From:** Office of Intergovernmental Affairs (IGA) <IGA@messages.dhs.gov>  
**Sent:** Monday, April 27, 2020 2:00 PM  
**To:** Joseph N. DiVincenzo  
**Subject:** Weekly Update: DHS Response to COVID-19

### U.S. DEPARTMENT OF HOMELAND SECURITY

#### Office of Public Affairs

---

#### Weekly Update: DHS Response to COVID-19

WASHINGTON – As the Nation transitions from a period of crisis to economic recovery, the Department of Homeland Security (DHS) will continue to leverage every social, medical, logistical and security tool at its disposal to defend the homeland from COVID-19. Thanks to a wide range of strategic initiatives, the Department and its components have achieved dozens of key deliverables last week through its unprecedented, whole-of-America response, which in return is slowing the virus’s spread and saving millions of lives. These results could not have been secured by the Department without its dedicated workforce, who have adapted and persevered to meet these extraordinary challenges despite their own personal hardships.

“The men and women of the Transportation Security Administration continue to go above and beyond to protect the health and safety of travelers, while ensuring the security of our critical transportation systems during the COVID-19 pandemic,” said TSA Administrator David Pekoske. “Every day, our dedicated employees are performing vital tasks to keep our transportation systems moving for those with essential travel, and working with industry partners to ensure confidence across systems as we recover and travel levels increase.”

Below is a list of some of DHS’s efforts against COVID-19 last week:

#### **Countering Weapons of Mass Destruction (CWMD)**

*Enhanced Screenings at Airports.* CWMD contract personnel are continuing to support the Centers for Disease Control and Prevention (CDC) with enhanced screenings for travelers through 13 specially designated airports. As of April 26<sup>th</sup>, CWMD has processed approximately 279,319 travelers for enhanced screening, including 1,506 who were referred to CDC for further medical evaluation.

#### **CUSTOMS AND BORDER PROTECTION (CBP)**

*Securing the Border from Infectious Diseases.* CBP announced on April 20<sup>th</sup> that it will extend its restrictions on non-essential travel across our shared borders with Canada and Mexico until May 21<sup>st</sup>. As President Trump has stated previously, border control, travel restrictions, and other limitations remain critical to slowing the spread of COVID-19 and allowing for the phased opening of the country.

*Building the Wall and Deterring Illegal Immigration.* On April 22<sup>nd</sup>, CBP launched a border wall system [webpage](#) that features a construction video and an interactive map. This website not only gives American taxpayers a first-hand look at the ongoing border wall construction, but it also serves as a strong



visual deterrent to those in coronavirus-impacted countries who are contemplating making the dangerous and deadly journey to the U.S. across the Southern border.

*Seizing Counterfeit Goods from Foreign Sources.* On April 23<sup>rd</sup>, CBP officials seized 2,000 counterfeit respirators that were shipped to the U.S. from China. Ensuring the integrity of imported goods, including personal protection equipment (PPE), is a vital function that CBP performs every day to protect the American public during the pandemic.

*Supporting the Safe Return of U.S. Citizens Stranded Overseas.* As of April 26<sup>th</sup>, CBP, in close coordination with the State Department's Repatriation Task Force, has facilitated the return of more than 69,000 Americans back to the U.S. from 128 countries. This interagency operation is vital to reuniting families and keeping Americans out of harm's way.

### **Cybersecurity and Infrastructure Security Agency (CISA)**

*Promoting Integrity and Security in Upcoming Elections.* CISA continues to coordinate with government and industry partners to ensure upcoming elections are accessible and secure for voters. On April 22<sup>nd</sup>, CISA's COVID-19 Elections Working Group, which is comprised of state, local, and private sector partners, [released](#) two new products focused on voter outreach, education, and best practices to ensure that every ballot is delivered properly to voter residences.

*Ensuring that Operation Centers and Control Rooms Remain Viable.* On April 23<sup>rd</sup>, CISA [released](#) the Critical Infrastructure Operations Centers and Control Rooms Guide for Pandemic Response, which is geared towards all 16 critical infrastructure sectors identified by the federal government. The guide provides considerations and mitigation measures for operation centers and control rooms, but can be applied further to any critical node that is required to continue functioning in a pandemic environment.

*Keeping the Healthcare Industry Safe and Secure.* CISA, Health and Human Services (HHS), and the Federal Bureau of Investigation (FBI) jointly released [a bulletin](#) on April 24<sup>th</sup> regarding potential threats to the healthcare industry and resources on how to mitigate these threats.

### **Federal Emergency Management Agency (FEMA)**

*Accelerating Antibody Research Efforts.* On April 20<sup>th</sup>, FEMA's Medical Countermeasures Task Force reported that it established six agreements with healthcare providers to obtain convalescent plasma from COVID-19 survivors in support of the CDC's Serology Project Team's research efforts. Convalescent plasma, which is the liquid part of blood that possibly contains viral antibodies, is being investigated by medical researchers as a potential treatment for COVID-19.

*Bolstering Testing Capacity at Food Processing Centers.* On April 20<sup>th</sup>, FEMA's Laboratory Diagnostics Task Force coordinated with the Region VII office to deliver 7,000 test kits to Kansas where the region's largest meat processing facilities are experiencing clusters of COVID-19 infections. These diagnostic supplies will help identify infections more rapidly while preventing its transmission throughout the state's critical agriculture infrastructure, which processes a significant portion of the nation's meat supply.

*Addressing Medical Supply Needs in Non-Healthcare Settings.* On April 22<sup>nd</sup>, FEMA published [guidance](#) to address how organizations in non-healthcare settings should consider and manage their personal protective equipment (PPE) needs while ensuring the protection of workers during the COVID-19 pandemic. This includes how to preserve limited supplies of PPE, how to consider needs during periods of shortages, and how to acquire and request PPE (i.e., in the face of critical shortages and whereas normal supply chain allocation cannot meet operational requirements).



*Deploying Federal Funds in Support of State Response Efforts.* Federal funds are being deployed to help ensure that health care providers have the critical resources they need to provide rapid care and treatment to COVID-19 patients in hard-hit areas across the U.S. Since April 20<sup>th</sup>, FEMA has obligated around \$400 million to support state response efforts, bringing the total amount to \$6.1 billion thus far. This includes an additional \$100 million in funding for the Assistance to Firefighters Grant Program to help first responders access PPE and other critical medical supplies during the outbreak.

*Increasing Availability of Critical Resources.* As a part of the Supply Chain Stabilization Task Force, FEMA is executing a whole-of-nation approach to address the limited supply of critical and life-saving equipment. As of April 25<sup>th</sup>, FEMA has coordinated the delivery of the following to critical locations: 70.7 million N95 respirators, 104.5 million surgical masks, 7 million face shields, 14.7 million surgical gowns, 793.8 million gloves, and 10,603 ventilators. FEMA's Health Care Resilience Task Force is also working with private manufacturers to address dialysis fluid shortages in New York City, which is critical for COVID-19 patients in ICU's who are experiencing kidney failure.

*Coordinating Air Flights to Address Medical Supply Shortages.* FEMA continues to expedite the movement of critical supplies, including masks, respirators, gloves, goggles, and surgical gowns, from the global market to medical distributors in various locations across the U.S. This historic partnership with the private sector is named Project Air-Bridge. Between April 20<sup>th</sup> and April 26<sup>th</sup>, 21 international flights arrived in the U.S. with critical medical supplies, bringing the total to 85 with an additional 26 scheduled or in transit. These flights deliver PPE to areas of greatest need through prioritized distributor supply chains nine times faster than movement by sea.

#### **FEDERAL LAW ENFORCEMENT TRAINING CENTERS (FLETC)**

*Implementing Protocols to Protect Returning Students.* Although FLETC has temporarily paused in-person operations, the agency is engaged in detailed planning efforts to resume law enforcement training in the COVID-environment. Over the past week, FLETC piloted new screening procedures whereby security contractors are conducting temperature checks and asking COVID-related screening questions of all people attempting to enter FLETC's facilities. It has also begun to clean and disinfect all venues in preparation for students' return.

#### **IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)**

*Cracking Down on Fraud and Criminal Activity.* On April 20<sup>th</sup>, ICE's Homeland Security Investigations (HSI) unit, with assistance from CBP's Field Intelligence Group, seized approximately 5,300 potentially fraudulent COVID-19 test kits. This seizure is a part of an interagency enforcement campaign known as Operation Stolen Promise, which was launched by ICE on April 15<sup>th</sup> to combat COVID-19-related fraud and other criminal activity. To date, ICE has opened more than 190 investigations nationwide.

#### **INTELLIGENCE & ANALYSIS (I & A)**

*Educating the Public About Cyber-Related Threats.* On April 24<sup>th</sup>, I&A and CISA partnered with the American Hospital Association to [launch a podcast mini-series](#) addressing cyber threats that put the U.S. health system at risk. It offers best practices to security experts and health care administrators who are responsible for the infrastructure supporting medical providers during the COVID-19 response.

#### **SCIENCE & TECHNOLOGY (S&T)**

*Arming the Nation with Scientific Research.* On April 23<sup>rd</sup>, William Bryan, Senior Official Performing the Duties of the Under Secretary for Science and Technology (S&T), provided an update on key research findings from S&T's National Biodefense Analysis and Countermeasures Center (NBACC) at the White House Coronavirus Task Force briefing. His update covered emerging results and trends from studies conducted at NBACC including the effects of sunlight and humidity on the virus as well as findings on common disinfectants that can kill the virus.



*Driving Evidence-Based Policymaking.* On April 24<sup>th</sup>, S&T updated its [Master Question List](#) (MQL), a compilation of available research on operationally-relevant questions to aid decision makers in the COVID-19 response. The MQL is a quick-reference guide covering what is known about the virus, what additional information is needed, and who may be working to address these fundamental questions. New entries include references to how much agent will make a healthy individual ill, how the virus spreads from one host to another, and what treatments are effective.

### **TRANSPORTATION SECURITY ADMINISTRATION (TSA)**

*Keeping Americans Safe While Ensuring Continuity of U.S. Travel.* TSA continues to follow CDC guidance to protect its workers and the nation’s transportation system, while ensuring the freedom of movement for people and commerce will not be impeded during the pandemic. Between April 20<sup>th</sup> and April 26<sup>th</sup>, TSA screened nearly 640,721 travelers who have all reached their destinations safely.

### **U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS)**

*Target Date to Reopen Offices.* On April 24<sup>th</sup>, USCIS [announced](#) that offices temporarily suspended will begin to reopen on June 4<sup>th</sup> unless the public closures are extended further to help slow the spread of COVID-19. Employees in these offices are continuing to perform mission-essential services that do not require face-to-face contact with the public while the offices are closed.

### **United States Coast Guard (USCG)**

*Monitoring Vessels that Pose a Risk to Public Health.* The Coast Guard is working non-stop to protect the health and safety of the American public while keeping U.S. supply chains open and viable. Between April 20<sup>th</sup> and April 26<sup>th</sup>, USCG tracked 110 commercial vessels that departed from a coronavirus-impacted country and was scheduled to arrive at a U.S. port. In accordance with the Coast Guard’s latest [Maritime Safety Information Bulletin](#) (MSIB), which was updated on April 24<sup>th</sup>, all vessels destined for a U.S. port are required to report to the CDC any sick or deceased crew/passengers prior to arrival at a U.S. port or they will be denied entry into U.S. territorial waters.

*Facilitating the Offload of Cruise Ships.* Between April 20<sup>th</sup> and April 26<sup>th</sup>, the Coast Guard facilitated the offload of 119 passengers aboard the Pacific Princess cruise ship in Los Angeles and 103 crew members aboard the Grand Princess cruise ship in San Francisco. The passengers and crew were allowed to disembark from the ships after the Coast Guard determined they were not infected with COVID-19 or other infectious diseases. To date, the Coast Guard has facilitated the discharge of over 265,000 passengers from over 125 cruise ships.

### **United States Secret Service (USSS)**

*Protecting Americans From Financial Scams.* On April 20<sup>th</sup>, the Secret Service partnered with the U.S. Treasury to launch the “[Know Your U.S. Treasury Check](#)” campaign – an initiative to bring awareness to citizens, retailers, and financial institutions on how to protect themselves from scams associated with U.S. Treasury checks funded by the \$2 trillion Coronavirus Aid, Relief and Economic Security (CARES) Act.

# # #

Having trouble viewing this message? [View it as a webpage](#).

You are subscribed to updates from the U.S. Department of Homeland Security

[Manage Subscriptions](#) | [Privacy Policy](#) | [Help](#)

If you were forwarded this email and would like to be added to future DHS Intergovernmental Affairs distributions, [please register your email address here](#).

Connect with DHS:

[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Flickr](#) | [YouTube](#)

U.S. Department of Homeland Security  
[www.dhs.gov](http://www.dhs.gov)

---

U.S. Department of Homeland Security · [www.dhs.gov](http://www.dhs.gov) · 202-282-8000

## Anthony Puglisi

---

**From:** Carl Hunte  
**Sent:** Tuesday, May 12, 2020 11:36 AM  
**To:** Anthony Puglisi  
**Subject:** Catch All Account 1  
**Attachments:** Testing Site Data by Town TOTAL as of 4-6-20.pdf  
  
**Categories:** Yellow category

**From:** Catch All Account <copyall@admin.essexcountynj.org>  
**Sent:** Tuesday, May 12, 2020 11:01 AM  
**To:** Carl Hunte <chunte@admin.essexcountynj.org>  
**Subject:** Fw: Essex Update

This is May 25 is requesting correspondence for the month of April using keywords "Phil Alagia, ICE, Immigration.

1 of 1

---

**From:** [JPena@essexcountynj.org](mailto:JPena@essexcountynj.org) <[JPena@essexcountynj.org](mailto:JPena@essexcountynj.org)>  
**Sent:** Monday, April 6, 2020 4:30 PM  
**To:** 'Eileen Gonzalez' <[egonzalez@essexcountynj.org](mailto:egonzalez@essexcountynj.org)>  
**Subject:** FW: Essex Update

Janet Pena  
Secretarial Assistant to the Director of Public Works  
Essex County Department of Public Works  
900 Bloomfield Ave  
Verona, NJ 07044  
Phone: 973-226-8500 X 2460  
Fax: 973-226-7469

**From:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Sent:** Monday, April 6, 2020 4:22 PM  
**To:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Subject:** Essex Update

Essex Update

- Attached please find statistics from our Local Test Site

Federal Update

- Homeland Security Update below

U.S. DEPARTMENT OF HOMELAND SECURITY  
Office of Public Affairs



## WEEKLY UPDATE: DHS RESPONSE TO COVID-19

WASHINGTON – The Department of Homeland Security's efforts across its components last week have facilitated a speedy, whole-of-government response to confronting COVID-19 and slowing the spread to keep Americans safe. FEMA is leading the way by carrying out an approach that is locally executed, state managed, and federally supported.

“Protecting both the health and national security of the American people continues to be the top priority for the Department of Homeland Security.” said Acting Secretary Chad F. Wolf. “I want to thank the men and women of the DHS workforce for their resilience as they put themselves at risk every day to protect the American people.”

Below is a list of some of DHS's efforts against COVID-19 last week:

### **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

*Total Obligations to States.* As of April 5th, FEMA has obligated nearly \$4.1 billion in support of COVID-19 response efforts.

*Project Air-Bridge.* FEMA is expediting movement of critical supplies from the global market to medical distributors in various locations across the U.S. This historic partnership with the private sector is named Project Air-Bridge:

- From March 30<sup>th</sup> to April 5<sup>th</sup>, 10 flights arrived to the U.S with critical supplies.
- The cargo moved so far totals almost 83.5 million gloves, almost 5 million surgical masks, and 1.2 million gowns.
- Upon arrival, the PPE is provided, in varying quantities, first to medical distributors in areas of greatest need; then, the remainder will be infused into the broader U.S. supply chain. Prioritization is given to hospitals, health care facilities, and nursing homes around the country.
- 23 additional flights are currently scheduled through April 18.

*Ventilator Distribution.* FEMA is distributing ventilators to hard hit states. From March 30th to April 4th, FEMA and HHS delivered ventilators from the Strategic National Stockpile to Michigan, New Jersey, Illinois, Connecticut, and Louisiana.

### **CUSTOMS AND BORDER PROTECTION (CBP)**

*Keeping Critical Cargo and Trade Moving.* CBP continues to process commercial cargo. Approximately \$21B worth of goods crossed back and forth over the borders of U.S, Mexico, and Canada from March 30th to April 5th .

*Working to Reduce Illegal Entries.* CBP agents encountered nearly 4,200 migrants crossing illegally at the U.S. Southern border daily, compared to nearly 10,000 encounters daily prior to the current containment efforts.

*Facilitating Critical PPE Deliveries.* CBP lifted a Withhold Release Order that had barred importation of disposable rubber gloves which our health care workers and law enforcement personnel so desperately need right now.

### **IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)**

*Bringing Americans Home.* Working with the Department of State, ICE continues to bring Americans home on the return leg of removal flights to Central America. As of April 5th, ICE has flown 853 U.S. citizens and legal permanent residents home on removal flights from Colombia, El Salvador, Honduras, and Nicaragua since the first flight on March 22.

## **TRANSPORTATION SECURITY ADMINISTRATION (TSA)**

*Keeping Air Travelers Secure.* Due to the pandemic and travel restrictions, TSA continues to screen a significantly reduced number of passengers. From March 27th to April 2nd, TSA successfully screened 1,124,145 travelers ensuring individuals reached their destinations safely.

## **CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY (CISA)**

*Essential Critical Infrastructure Workers.* CISA recently updated its list of essential critical infrastructure workers. As of April 5th, 20 states and territories have published Essential Business Designations.

*Election Security Work Continues.* CISA coordinated calls between the election community and the United States Postal Service (USPS) and Centers for Disease Control (CDC) to ensure that election officials have the most up to date information and advice from the experts at these agencies regarding COVID-19.

*Helping the Private Sector Assess Risk.* CISA released a guide titled Risk Management for Novel Coronavirus to assist executives in thinking through physical, supply chain, and cybersecurity issues that may arise from the spread of COVID-19.

## **UNITED STATES COAST GUARD (USCG)**

*Facilitating the Offload of Cruise Ships.* On April 2nd, the Coast Guard facilitated the offload of more than 1,200 passengers from cruise ships Zaandam and Rotterdam in Port Everglade, FL after it was reported that crewmembers and passengers were infected with COVID-19.

## **U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS)**

*Making Extensions for Employment Authorization Easier.* On March 30th, U.S. Citizenship and Immigration Services announced that it will reuse previously submitted biometrics in order to process valid Form I-765, Application for Employment Authorization, extension requests due to the temporary closure of Application Support Centers (ASC) to the public.

*Target Date to Reopen Offices.* On April 1st, USCIS announced offices temporarily suspended will begin to reopen on May 4th unless the public closures are extended further to help slow the spread of COVID-19.

## **COUNTERING WEAPONS OF MASS DESTRUCTION (CWMD)**

*Medical Screening at Airports.* CWMD contract personnel are continuing to support CDC with enhanced screening at 13 airports. From March 29th to April 5th, CBP referred 7,565 travelers to CWMD for enhanced screening. As of April 5th, over 265,647 travelers have been referred to CWMD for screening.

## **SCIENCE AND TECHNOLOGY (S&T)**

*Coronavirus Research.* S&T's National Biodefense Analysis and Countermeasures Center (NBACC) continued researching the impact of environmental conditions, such as temperature and humidity, to determine the virus's survivability in the air, in respiratory fluids, and on various types of surfaces. Additional research includes decontamination methods to determine the most effective materials to clean and disinfect surfaces to rid them of the virus.

*Consolidating COVID-19 Data for Government Officials.* On April 1st, the NBACC updated the Master Question List (MQL), a compilation of available research and information on operationally-relevant questions.

Philip B. Alagia  
Essex County Chief of Staff



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.





UNDERSHERIFFS  
 FITZGERALD FIGLIUOLO  
 JOHN GONCALVES  
 AMIR JONES

**OFFICE OF THE SHERIFF**  
**ARMANDO B. FONTOURA, SHERIFF**  
 OEM COORDINATOR  
 ESSEX COUNTY OFFICE OF EMERGENCY MANAGEMENT  
 560 NORTHFIELD AVENUE  
 WEST ORANGE, NEW JERSEY 07052  
 ESSEXOEM@ESSEXSHERIFF.COM  
 973-324-9750 OFFICE  
 973-324-9759 FAX



CHIEF  
 JAMES R. SPANGO

**Testing Site Registrations by Municipality - TOTAL as of 4/6/20**

|                                 |     |                |     |
|---------------------------------|-----|----------------|-----|
| BELLEVILLE                      | 88  | MILLBURN       | 33  |
| BLOOMFIELD                      | 121 | MONTCLAIR      | 92  |
| CALDWELL                        | 4   | NEWARK         | 586 |
| CEDAR GROVE                     | 15  | NORTH CALDWELL | 7   |
| EAST ORANGE                     | 82  | NUTLEY         | 75  |
| ESSEX FELLS                     | 5   | ORANGE         | 33  |
| FAIRFIELD                       | 3   | ROSELAND       | 4   |
| GLEN RIDGE                      | 3   | SOUTH ORANGE   | 22  |
| IRVINGTON                       | 75  | VERONA         | 22  |
| LIVINGSTON                      | 23  | WEST CALDWELL  | 8   |
| MAPLEWOOD                       | 37  | WEST ORANGE    | 65  |
| <b>TOTAL TESTS SCHEDULED</b>    |     | <b>1,394</b>   |     |
| <b>TOTAL TESTS ADMINISTERED</b> |     | <b>1,193</b>   |     |
| <b>NEGATIVE TEST RESULTS</b>    |     | <b>563</b>     |     |
| <b>POSITIVE TEST RESULTS</b>    |     | <b>380</b>     |     |
| <b>PENDING TEST RESULTS</b>     |     | <b>252</b>     |     |

## Anthony Puglisi

---

**From:** Carl Hunte  
**Sent:** Tuesday, May 12, 2020 11:37 AM  
**To:** Anthony Puglisi  
**Subject:** Catch All Account 2  
**Attachments:** Sample Statistics Chart Essex.docx

**Categories:** Yellow category

**From:** Catch All Account <copyall@admin.essexcountynj.org>  
**Sent:** Tuesday, May 12, 2020 10:53 AM  
**To:** Carl Hunte <chunte@admin.essexcountynj.org>  
**Subject:** Fw: FW: Sample Statistics Chart for Consideration

Correspondence between April 13 and 27. Using keywords "Phil Alagia, ICE, Immigration"

1 of 3

---

**From:** Chelsea Gray <[chelsea.gray01@gmail.com](mailto:chelsea.gray01@gmail.com)>  
**Sent:** Wednesday, April 22, 2020 8:56 PM  
**To:** Maya Lordo <[mlordo@dchs.essexcountynj.org](mailto:mlordo@dchs.essexcountynj.org)>  
**Subject:** Fwd: FW: Sample Statistics Chart for Consideration

----- Forwarded message -----

**From:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Date:** Tue, Apr 21, 2020 at 21:09  
**Subject:** FW: Sample Statistics Chart for Consideration  
**To:** [Chelsea.Gray01@gmail.com](mailto:Chelsea.Gray01@gmail.com) <[Chelsea.Gray01@gmail.com](mailto:Chelsea.Gray01@gmail.com)>

**From:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>  
**Sent:** Tuesday, April 21, 2020 6:10 PM  
**To:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Cc:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org); Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>  
**Subject:** Sample Statistics Chart for Consideration

Mr. Alagia,

I attached a sample statistics chart for your consideration for its use by ECCF.

Respectfully,

Carol

**Carol M. Frey**

**Management & Program Analyst/COR**

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)

**From:** Frey, Carol

**Sent:** Tuesday, April 21, 2020 6:02 PM

**To:** [palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)

**Cc:** Ortiz, Al <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>; Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>

**Subject:** Notice of Concern - Serology Screening and Reporting

Good evening Mr. Alagia,

Please see the attached Letter of Concern regarding SARS-CoV-2 serology screening, and the reporting of the results thereof, by the Essex County Correctional Facility.

Request you take immediate action to address our concerns and reply to ICE no later than close of business on Wednesday, April 22, 2020.

Thank you.



Respectfully,

Carol M. Frey

Management & Program Analyst/COR

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.

--  
Chelsea M. Gray  
Rutgers, the State University of New Jersey  
Master of Public Health Candidate - Epidemiology  
Class of 2021

Sent from Gmail Mobile



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.

| SARS-CoV-2 IgG/IgM Antibody Testing |  |
|-------------------------------------|--|
| KEY DEFINITIONS                     |  |
|                                     |  |
| IgM Response                        | Individual can be either asymptomatic or symptomatic and should be placed under quarantine for 14 days   |
| BOTH IgM & IgG Response             | Individual can be either asymptomatic or symptomatic and should remain under quarantine for 14 days  |
| IgG Response                        | Quarantine is recommended. If individual is symptomatic—should remain in quarantine. If individual is asymptomatic may be considered for general population. |

- Deleted:** NEGATIVE
- Deleted:** Individual is negative, has not been exposed to or contracted COVID-19. They are deemed "at-risk for exposure" and should be isolated with others of the same diagnosis. (Control line present on test only).
- Deleted:** ANTIBODIES PRESENT
- Deleted:** Individual is COVID-19 positive and in the early stages of exposure
- Deleted:** ;
- Deleted:** (Control and IgM lines present on test).
- Deleted:** ANTIBODIES PRESENT
- Deleted:** Individual is COVID-19 positive, still fighting off the novel virus (+ IgM reading) and developing immunity (+ IgG reading)
- Deleted:** ;
- Deleted:** (Control, IgM, and IgG lines present on test).
- Deleted:** ANTIBODIES PRESENT
- Deleted:** Individual has developed immunity to the virus after exposure; Individual is presumed recovered and can be re-introduced to the general population (Control and IgG lines present on test).

- This test has not been reviewed by the FDA
- Negative results do not rule out SAR-CoV-2 (COVID-19) infection, particularly in those who have been in contact with the virus. Follow-up testing with a molecular diagnostic will be considered to rule out COVID-19 infection based upon the clinical judgement of your health care provider.
- Results from this antibody testing will not be used as the sole basis to diagnose or exclude COVID-19 infection or to inform you of your infection status. It is being used as a screening test to determine if you may have possible immunity.
- Positive results may be due to past or present infection with non-COVID-19 coronavirus strains, such as coronavirus HKU1, NL63, OC43 or 229E.
- The purpose for use of this test is to manage the population at ECCF and not for concluding or diagnosing a positive COVID-19 result



## Anthony Puglisi

---

**From:** Carl Hunte  
**Sent:** Tuesday, May 12, 2020 11:38 AM  
**To:** Anthony Puglisi  
**Subject:** Catch All Account 3  
**Attachments:** Daily Rapid Test Statistics - April 21, 2020.xlsx

**Categories:** Yellow category

**From:** Catch All Account <copyall@admin.essexcountynj.org>  
**Sent:** Tuesday, May 12, 2020 10:54 AM  
**To:** Carl Hunte <chunte@admin.essexcountynj.org>  
**Subject:** Fw: Notice of Concern - Serology Screening and Reporting

2 of 2

---

**From:** Chelsea Gray [REDACTED]  
**Sent:** Wednesday, April 22, 2020 8:34 PM  
**To:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org) <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Cc:** Michelle Maya Lordo <[mlordo@dchs.essexcountynj.org](mailto:mlordo@dchs.essexcountynj.org)>; Anicette, Lionel <[lanicette@eccorrections.org](mailto:lanicette@eccorrections.org)>; Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Subject:** Re: Notice of Concern - Serology Screening and Reporting

Good evening everyone,

I appreciate your patience in the reception of the newly drafted screening document. Please review and provide feedback.

Best,

Chelsea M. Gray  
Rutgers, the State University of New Jersey  
Master of Public Health Candidate - Epidemiology  
October 2020

[REDACTED]

On Wed, Apr 22, 2020 at 6:03 PM Ortiz, Al <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)> wrote:

I need to respond regarding ICE's proposed recommendations pertaining to the Rapid test statistical chart. Lets communicate tomorrow....AL

Sent from my iPhone 8....AOJr

Begin forwarded message:

**From:** "Ortiz, Al" <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Date:** April 22, 2020 at 5:58:55 PM EDT

To: "Frey, Carol" <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>

Cc: Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>, "Tsoukaris, John" <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>, "Anderson, Michael C" <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>, "Davis, Beth" <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>, Maya Lordo <[MLordo@dchs.essexcountynj.org](mailto:MLordo@dchs.essexcountynj.org)>, [REDACTED] Lionel Anicette <[Lionel.Anicette@ice.dhs.gov](mailto:Lionel.Anicette@ice.dhs.gov)>, "Anderson, William" <[wanderson@eccorrections.org](mailto:wanderson@eccorrections.org)>, "Cirillo, Guy" <[gcirillo@eccorrections.org](mailto:gcirillo@eccorrections.org)>, "Perez, Ruben A" <[Ruben.A.Perez@ice.dhs.gov](mailto:Ruben.A.Perez@ice.dhs.gov)>, "Reifenberg, Heidi" <[Hreifenberg@eccorrections.org](mailto:Hreifenberg@eccorrections.org)>, "Chhibber, Jennifer R" <[Jennifer.R.Chhibber@ice.dhs.gov](mailto:Jennifer.R.Chhibber@ice.dhs.gov)>, "Correa, Jose M" <[Jose.M.Correa@ice.dhs.gov](mailto:Jose.M.Correa@ice.dhs.gov)>

**Subject: Re: Notice of Concern - Serology Screening and Reporting**

Ms. Frey, thank you very much for affirmative response to our presentation of information.

With regard to your proposed recommendations of our Rapid Test Kit Statistical Chart, they are under review and I expect to respond very soon.

Sent from my iPhone 8....AOJr

On Apr 22, 2020, at 5:28 PM, Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)> wrote:

Good afternoon Director Ortiz.

Thank you for replying and addressing our concerns.

If you have confirmed "Hangzhou Biotest Biotech's COVID-19 IgG/IgM Rapid Test Cassette" is the Test Cassette being used at ECCF, we are satisfied, as this manufacturer is listed on the FDA public list of manufacturers who have notified them as set forth in Section IV.D of the FDA Policy issued on March 16, 2020.

Have you considered making changes to your Rapid Test Kit Statistical Chart as we proposed to ensure the content is not misleading?

Thank you.

**Carol M. Frey**

**Management & Program Analyst/COR**

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102



(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)

---

**From:** Ortiz, Al <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Sent:** Tuesday, April 21, 2020 10:39 PM  
**To:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>  
**Cc:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>; Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>; Maya Lordo <[MLordo@dchs.essexcountynj.org](mailto:MLordo@dchs.essexcountynj.org)>; [REDACTED] Anicette <[lanicette@cfgpc.com](mailto:lanicette@cfgpc.com)>; Anderson, William <[wanderson@eccorrections.org](mailto:wanderson@eccorrections.org)>; Cirillo, Guy <[gcirillo@eccorrections.org](mailto:gcirillo@eccorrections.org)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; [REDACTED] Perez, Ruben A <[Ruben.A.Perez@ice.dhs.gov](mailto:Ruben.A.Perez@ice.dhs.gov)>; Reifenberg, Heidi <[Hreifenberg@eccorrections.org](mailto:Hreifenberg@eccorrections.org)>; Chhibber, Jennifer R <[Jennifer.R.Chhibber@ice.dhs.gov](mailto:Jennifer.R.Chhibber@ice.dhs.gov)>  
**Subject:** Re: Notice of Concern - Serology Screening and Reporting

Ms. Frey, reference below the information pertaining to your Letter of Concern Regarding Serology Screening and Testing.

Press the link below and description. As per our phone conference today, ICE requested documentation that the, notified the FDA for their offering of Serology testing. They are in the same category as EUA FDA approved Abbott test.

I have copied this portion from the link below.

<http://blog.rapidmicromethods.com/2020/03/overview-of-current-covid-19-diagnostic.html>

"The commercial manufacturers and laboratories listed below have notified FDA that they have validated and are offering serology tests as set forth in Section IV.D of the [FDA's Policy for Diagnostic Tests for Coronavirus Disease-2019](#). The FDA has not reviewed the validation of tests offered by these developers, who will not be pursuing EUAs, and is including this list here to provide transparency regarding the notifications submitted to FDA. Where the Authorization Status is "FDA Authorized," the FDA reviewed and issued an EUA for the test after notification was given."



Under the manufacturer list, our test manufacturer is listed as such:

- Hangzhou AllTest Biotech Co., Ltd. AllTest 2019-nCoV IgG/IgM Rapid Test Cassette
- Hangzhou AllTest Biotech Co., Ltd. AllTest COVID IgG/IgM Rapid Test Dipstick

**Reach out to me should you have an issue.**

**A. Ortiz, ECCF Director**

Sent from my iPhone 8....AOJr

On Apr 21, 2020, at 9:56 PM, Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)> wrote:

Mr. Alagia, thank you for your quick response.

We appreciate all efforts the ECCF Director and medical staff will take to ensure the information made available to the public is consistent with FDA definitions and easily understood.

I will ensure future communications of this nature are addressed to the Director.

Thank you.

Respectfully,

Carol

Carol M. Frey

Management & Program Analyst/COR

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)

---

**From:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>

**Sent:** Tuesday, April 21, 2020 9:08 PM

**To:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>

**Cc:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org); Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C

<[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>; Maya Lordo

<[mlordo@dchs.essexcountynj.org](mailto:mlordo@dchs.essexcountynj.org)>; [REDACTED] Lionel Anicette [REDACTED] Anderson,

William <[WAnderson@eccorrections.org](mailto:WAnderson@eccorrections.org)>; Cirillo, Guy <[Gcirillo@eccorrections.org](mailto:Gcirillo@eccorrections.org)>

**Subject:** RE: Notice of Concern - Serology Screening and Reporting

Thank you, for your letter. Usual protocol between ICE and The Essex County Correctional Facility is that these requests go to the Director of the Facility.

After reading your letter ECCF will take your suggestions under advisement.

Our Health and Medical Professionals will come up with a clearer description of how useful this screening tool is and add it to our daily reporting. As was agreed to on the phone call the Scientists and medical professionals understand what these definitions are. We will *TRY* to make it easier for non-medical professionals to read and understand these valuable screening results as well.

Looking forward to continue our great working relationship and keeping our staff and detainees as safe as possible.

Philip Alagia

---

**From:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>  
**Sent:** Tuesday, April 21, 2020 6:02 PM  
**To:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Cc:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org); Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>  
**Subject:** Notice of Concern - Serology Screening and

Good evening Mr. Alagia,

Please see the attached Letter of Concern regarding SARS-CoV-2 serology screening, and the reporting of the results there of, by the Essex County Correctional Facility.

Request you take immediate action to address our concerns and reply to ICE no later than close of business on Wednesday, April 22, 2020.

Thank you.

Respectfully,

**Carol M. Frey**

**Management & Program Analyst/COR**

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553





This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.

## Anthony Puglisi

---

**From:** Carl Hunte  
**Sent:** Tuesday, May 12, 2020 11:38 AM  
**To:** Anthony Puglisi  
**Subject:** Catch All Account 3  
**Attachments:** Daily Rapid Test Statistics - April 21, 2020.xlsx  
  
**Categories:** Yellow category

**From:** Catch All Account <copyall@admin.essexcountynj.org>  
**Sent:** Tuesday, May 12, 2020 10:54 AM  
**To:** Carl Hunte <chunte@admin.essexcountynj.org>  
**Subject:** Fw: Notice of Concern - Serology Screening and Reporting

2 of 2

---

**From:** Chelsea Gray [REDACTED]  
**Sent:** Wednesday, April 22, 2020 8:34 PM  
**To:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org) <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Cc:** Michelle Maya Lordo <[mlordo@dchs.essexcountynj.org](mailto:mlordo@dchs.essexcountynj.org)>; Anicette, Lionel <[lanicette@eccorrections.org](mailto:lanicette@eccorrections.org)>; Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Subject:** Re: Notice of Concern - Serology Screening and Reporting

Good evening everyone,

I appreciate your patience in the reception of the newly drafted screening document. Please review and provide feedback.

Best,

Chelsea M. Gray  
Rutgers, the State University of New Jersey  
Master of Public Health Candidate - Epidemiology  
October 2020

On Wed, Apr 22, 2020 at 6:03 PM Ortiz, Al <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)> wrote:

I need to respond regarding ICE's proposed recommendations pertaining to the Rapid test statistical chart. Lets communicate tomorrow....AL

Sent from my iPhone 8....AOJr

Begin forwarded message:

**From:** "Ortiz, Al" <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Date:** April 22, 2020 at 5:58:55 PM EDT

To: "Frey, Carol" <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>

Cc: Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>, "Tsoukaris, John" <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>, "Anderson, Michael C" <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>, "Davis, Beth" <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>, Maya Lordo <[MLordo@dchs.essexcountynj.org](mailto:MLordo@dchs.essexcountynj.org)>, [REDACTED] Lionel Anicette [REDACTED] Anderson, William" <[wanderson@eccorrections.org](mailto:wanderson@eccorrections.org)>, "Cirillo, Guy" <[gcirillo@eccorrections.org](mailto:gcirillo@eccorrections.org)>, "Perez, Ruben A" <[Ruben.A.Perez@ice.dhs.gov](mailto:Ruben.A.Perez@ice.dhs.gov)>, "Reifenberg, Heidi" <[Hreifenberg@eccorrections.org](mailto:Hreifenberg@eccorrections.org)>, "Chhibber, Jennifer R" <[Jennifer.R.Chhibber@ice.dhs.gov](mailto:Jennifer.R.Chhibber@ice.dhs.gov)>, "Correa, Jose M" <[Jose.M.Correa@ice.dhs.gov](mailto:Jose.M.Correa@ice.dhs.gov)>

**Subject: Re: Notice of Concern - Serology Screening and Reporting**

Ms. Frey, thank you very much for affirmative response to our presentation of information.

With regard to your proposed recommendations of our Rapid Test Kit Statistical Chart, they are under review and I expect to respond very soon.

Sent from my iPhone 8....AOJr

On Apr 22, 2020, at 5:28 PM, Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)> wrote:

Good afternoon Director Ortiz.

Thank you for replying and addressing our concerns.

If you have confirmed "Hangzhou Biotest Biotech's COVID-19 IgG/IgM Rapid Test Cassette" is the Test Cassette being used at ECCF, we are satisfied, as this manufacturer is listed on the FDA public list of manufacturers who have notified them as set forth in Section IV.D of the FDA Policy issued on March 16, 2020.

Have you considered making changes to your Rapid Test Kit Statistical Chart as we proposed to ensure the content is not misleading?

Thank you.

Carol M. Frey

Management & Program Analyst/COR

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102



(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)

---

**From:** Ortiz, Al <[aortiz@eccorrections.org](mailto:aortiz@eccorrections.org)>  
**Sent:** Tuesday, April 21, 2020 10:39 PM  
**To:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>  
**Cc:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>; Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>; Maya Lordo <[MLordo@dchs.essexcountynj.org](mailto:MLordo@dchs.essexcountynj.org)>; [REDACTED] Lionel Anicette [REDACTED] Anderson, William <[wanderson@eccorrections.org](mailto:wanderson@eccorrections.org)>; Cirillo, Guy <[gcirillo@eccorrections.org](mailto:gcirillo@eccorrections.org)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; [REDACTED] Perez, Ruben A <[Ruben.A.Perez@ice.dhs.gov](mailto:Ruben.A.Perez@ice.dhs.gov)>; Reifenberg, Heidi <[Hreifenberg@eccorrections.org](mailto:Hreifenberg@eccorrections.org)>; Chhibber, Jennifer R <[Jennifer.R.Chhibber@ice.dhs.gov](mailto:Jennifer.R.Chhibber@ice.dhs.gov)>  
**Subject:** Re: Notice of Concern - Serology Screening and Reporting

Ms. Frey, reference below the information pertaining to your Letter of Concern Regarding Serology Screening and Testing.

Press the link below and description. As per our phone conference today, ICE requested documentation that the, notified the FDA for their offering of Serology testing. They are in the same category as EUA FDA approved Abbott test.

I have copied this portion from the link below.

<http://blog.rapidmicromethods.com/2020/03/overview-of-current-covid-19-diagnostic.html>

"The commercial manufacturers and laboratories listed below have notified FDA that they have validated and are offering serology tests as set forth in Section IV.D of the [FDA's Policy for Diagnostic Tests for Coronavirus Disease-2019](#). The FDA has not reviewed the validation of tests offered by these developers, who will not be pursuing EUAs, and is including this list here to provide transparency regarding the notifications submitted to FDA. Where the Authorization Status is "FDA Authorized," the FDA reviewed and issued an EUA for the test after notification was given."

Under the manufacturer list, our test manufacturer is listed as such:

- Hangzhou AllTest Biotech Co., Ltd. AllTest 2019-nCoV IgG/IgM Rapid Test Cassette
- Hangzhou AllTest Biotech Co., Ltd. AllTest COVID IgG/IgM Rapid Test Dipstick

**Reach out to me should you have an issue.**

**A. Ortiz, ECCF Director**

Sent from my iPhone 8....AOJr

On Apr 21, 2020, at 9:56 PM, Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)> wrote:

Mr. Alagia, thank you for your quick response.

We appreciate all efforts the ECCF Director and medical staff will take to ensure the information made available to the public is consistent with FDA definitions and easily understood.

I will ensure future communications of this nature are addressed to the Director.

Thank you.

Respectfully,

Carol

Carol M. Frey

Management & Program Analyst/COR

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553

[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)

---

**From:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>

**Sent:** Tuesday, April 21, 2020 9:08 PM

**To:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>

**Cc:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org); Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C

<[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>; Maya Lordo

<[mlordo@dchs.essexcountynj.org](mailto:mlordo@dchs.essexcountynj.org)>; [REDACTED] Lionel Anicette <[REDACTED]>; Anderson,

William <[WAnderson@eccorrections.org](mailto:WAnderson@eccorrections.org)>; Cirillo, Guy <[Gcirillo@eccorrections.org](mailto:Gcirillo@eccorrections.org)>

**Subject:** RE: Notice of Concern - Serology Screening and Reporting

Thank you, for your letter. Usual protocol between ICE and The Essex County Correctional Facility is that these requests go to the Director of the Facility.

After reading your letter ECCF will take your suggestions under advisement.

Our Health and Medical Professionals will come up with a clearer description of how useful this screening tool is and add it to our daily reporting. As was agreed to on the phone call the Scientists and medical professionals understand what these definitions are. We will *TRY* to make it easier for non-medical professionals to read and understand these valuable screening results as well.

Looking forward to continue our great working relationship and keeping our staff and detainees as safe as possible.

Philip Alagia



---

**From:** Frey, Carol <[Carol.Frey@ice.dhs.gov](mailto:Carol.Frey@ice.dhs.gov)>  
**Sent:** Tuesday, April 21, 2020 6:02 PM  
**To:** Phil Alagia <[palagia@admin.essexcountynj.org](mailto:palagia@admin.essexcountynj.org)>  
**Cc:** [aortiz@eccorrections.org](mailto:aortiz@eccorrections.org); Tsoukaris, John <[John.Tsoukaris@ice.dhs.gov](mailto:John.Tsoukaris@ice.dhs.gov)>; Anderson, Michael C <[Michael.C.Anderson@ice.dhs.gov](mailto:Michael.C.Anderson@ice.dhs.gov)>; Davis, Beth <[Beth.Davis@ice.dhs.gov](mailto:Beth.Davis@ice.dhs.gov)>  
**Subject:** Notice of Concern - Serology Screening and

Good evening Mr. Alagia,

Please see the attached Letter of Concern regarding SARS-CoV-2 serology screening, and the reporting of the results there of, by the Essex County Correctional Facility.

Request you take immediate action to address our concerns and reply to ICE no later than close of business on Wednesday, April 22, 2020.

Thank you.

Respectfully,

**Carol M. Frey**

**Management & Program Analyst/COR**

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102

(Office) 973-776-3239

(Cell) 973-477-8553



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.

## Anthony Puglisi

---

**From:** Carl Hunte  
**Sent:** Tuesday, May 12, 2020 11:39 AM  
**To:** Anthony Puglisi  
**Subject:** Catch All Account 4  
**Attachments:** Letter of Concern\_SARS-CoV-2\_Serology Tests\_ECCF\_04.20.2020.pdf; ATT00001.htm  
  
**Categories:** Yellow category

**From:** Catch All Account <copyall@admin.essexcountynj.org>  
**Sent:** Tuesday, May 12, 2020 10:56 AM  
**To:** Carl Hunte <chunte@admin.essexcountynj.org>  
**Subject:** Fw: Letter of Concern Regarding SARS-CoV-2 Serology Testing

3 of 3

---

**From:** Ortiz, Al <aortiz@eccorrections.org>  
**Sent:** Tuesday, April 21, 2020 11:49 AM  
**To:** Michelle Maya Lordo <mlordo@dchs.essexcountynj.org>; Anicette, Lionel <lanicette@eccorrections.org>;  
[REDACTED]  
**Subject:** Fwd: Letter of Concern Regarding SARS-CoV-2 Serology Testing

FYI in case you haven't seen this

Sent from my iPad

Begin forwarded message:

**From:** "Frey, Carol" <Carol.Frey@ice.dhs.gov>  
**Date:** April 20, 2020 at 5:53:49 PM EDT  
**To:** "Ortiz, Al" <aortiz@eccorrections.org>  
**Cc:** "palagia@admin.essexcountynj.org" <palagia@admin.essexcountynj.org>, "Tsoukaris, John" <John.Tsoukaris@ice.dhs.gov>, "Davis, Beth" <Beth.Davis@ice.dhs.gov>  
**Subject:** Letter of Concern Regarding SARS-CoV-2 Serology Testing

Good afternoon Director Ortiz.

Please see the attached Letter of Concern regarding SARS-CoV-2 serology tests being used to test ICE detainees at the Essex County Correctional Facility.

Request you take immediate action to address our concerns and reply to ICE no later than 4:00 p.m., Wednesday, April 21, 2020.

Thank you.

Respectfully,

Carol M. Frey



Management & Program Analyst/COR  
Immigration & Customs Enforcement (ICE)  
Enforcement & Removal Operations (ERO)  
970 Broad Street, 11<sup>th</sup> Floor, Newark, NJ 07102  
(Office) 973-776-3239  
(Cell) 973-477-8553  
[carol.frey@ice.dhs.gov](mailto:carol.frey@ice.dhs.gov)



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



This E-mail, including any attachments, may be intended solely for the personal and confidential use of the sender and recipient(s) named above. This message may include advisory, consultative and/or deliberative material and, as such, would be privileged and confidential and not a public document. Any Information in this e-mail identifying a client of the Department of Human Services or the Department of Children and Families is confidential. If you have received this e-mail in error, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it and you must delete this message. You are requested to notify the sender by return e-mail.



**U.S. Immigration  
and Customs  
Enforcement**

April 20, 2020

Alfaro Ortiz  
Director Essex County Correctional Facility  
354 Doremus Avenue  
Newark, NJ 07105

Re: Medical Screening Concerns at Essex County Correctional Facility

Dear Director Ortiz:

This letter is intended to inform you of ICE's concerns regarding the screening and testing of ICE detainees for the purpose of identifying antibodies to SARS-CoV-2, using serology Rapid Test Cassettes at the Essex County Correctional Facility.

The 2011 PBNDS (Revised 2016); Section 4.3, Medical Care states:

Expected Practices:

C. Communicable Disease and Infection Control.

1. General - Facilities shall comply with current and future plans implemented by federal, state or local authorities addressing specific public health issues, including communicable disease reporting requirements.

On April 10, 2020 ECCF began testing ICE detainees for the presence of SARS-CoV-2 antibodies using an IgG/IgM Rapid Test Cassette manufactured by "AllTest".

This manufacturer does not appear to have manufactured and distributed this serology testing product according to current federal policy on serological tests.

On March 26, 2020, the U.S. Food and Drug Administration (FDA) issued Policy for Diagnostic Tests for Coronavirus Disease-2019 during the Public Health Emergency.

This guidance describes four FDA policies in Section IV, A thru D, intended to help rapidly expand testing capacity by facilitating the development and use of SARS-CoV-2 diagnostic tests during the public health emergency.



This guidance found in Section IV. D. describes policy regarding commercial manufacturer development and distribution of serology tests that identify antibodies (e.g., IgM, IgG) to SARS-CoV-2 from clinical specimens. This policy is limited to such testing in laboratories or by healthcare workers at the point-of-care. This guidance further states, the FDA does not intend to object to the development and distribution by commercial manufacturers of serology tests to identify antibodies to SARS-CoV-2, *where the test has been validated and notification is provided to FDA.*

On April 7, 2020 the FDA issued FDA STATEMENT, Coronavirus (COVID-19) Update: Serological Tests.

This FDA STATEMENT discusses the March FDA issued policy allowing developers of certain serological tests to begin to market or use their tests *once they have performed the appropriate evaluation to determine that their tests are accurate and reliable.*

This includes allowing developers to market their tests without prior FDA review *if certain conditions outlined in the March guidance document are met.* The FDA issued this policy to allow early patient access to certain serological tests with the understanding that the FDA has not reviewed and authorized them.

This STATEMENT further identifies since the FDA issued the policy, over 70 test developers have notified the agency that they have serological tests available for use. *However; some firms are falsely claiming that their serological tests are FDA approved or authorized, or falsely claiming that they can diagnose COVID-19. The FDA will take appropriate action against firms making false claims or marketing tests that are not accurate and reliable.*

The manufacturer, AllTest, as of this date, is not listed on the FDA public list of Emergency Use Authorizations, found at <https://www.fda.gov/medical-devices/emergency-situations-medical-devices/emergency-use-authorizations#covid19ivd>.

The manufacturer, AllTest, as of this date, is not listed on the FDA public list of manufacturers that have notified FDA that they have validated and are offering serology tests *as set forth in FDA, March 26, 2020 Policy for Diagnostic Tests for Coronavirus Disease-2019 during the Public Health Emergency Section IV.D.*, found at <https://www.fda.gov/medical-devices/emergency-situations-medical-devices/faqs-diagnostic-testing-sars-cov-2>.

It is of great concern to ICE that ECCF is not using a serology test product that has been manufactured and validated according to the FDA Policy.

Please let this letter serve as a warning to ensure immediate appropriate action is taken to comply to the 2011 PBNDS (Rev Dec 2016). Request you provide ICE documentation confirming the Manufacturer and Distributor names and the Model Number of the Rapid Test Cassette being used for serology testing at ECCF. Request this information be provided to ICE no later than 4:00 p.m., Tuesday, April 21, 2020.



I am available for discussion should you have any questions or concerns.

Sincerely,

CAROL M FREY Digitally signed by CAROL M  
FREY  
Date: 2020.04.20 17:32:15 -04'00'

Carol M. Frey  
Contracting Officer's Representative

cc: Philip B. Alagia, Essex County Chief of Staff  
John Tsoukaris, Field Office Director  
Beth Davis, Contracting Officer  
Michael C. Anderson, Assistant Field Office Director



**U.S. Immigration  
and Customs  
Enforcement**

April 23, 2020

Alfaro Ortiz  
Director Essex County Correctional Facility  
354 Doremus Avenue  
Newark, NJ 07105

Re: Public Disclosure of ICE Detainee Information

Dear Director Mr. Ortiz,

It has come to ICE's attention that Essex County has prepared and published a document capturing statistical data pertaining to ICE detainee serology screening/antibody testing results. This document was posted on Twitter on April 21, 2020 at 1:00 p.m. The posting has been shared one time and potentially viewed by the 25,900 followers of this Twitter account. ICE's concerns regards to the distribution of potential misinformation created by this document were also depicted in the letter you received by the COTR on April 21, 2020.

We request that you cease from publicly disclosing any information related to ICE detainees without prior approval of the Contracting Officer based on the terms of our Inter-Governmental Service Agreement (IGSA) number EROIGSA-11-0008, Modification P00008, Attachment 6, Performance Work Statement (PWS).

PWS, Section II, Paragraph B. 8, states, "The Service Provider shall coordinate all public information related issues pertaining to ICE detainees with the CO [Contracting Officer]. All press statements and releases shall be cleared, in advance, with the ICE Office of Public Affairs. The Service Provider shall promptly make public announcements stating the facts of unusual or newsworthy incidents to local media. Examples of such events include, but are not limited to: deaths, escapes from custody, and facility emergencies."

Thus, under this clause, any public dissemination of information regarding ICE detainees requires coordination with the CO and clearance by ICE. Absent coordination and clearance, you are prohibited from publicly posting the information.

Please take immediate action to ensure this violation is resolved and not repeated.

---

Beth Anne Davis  
Contracting Officer  
NJ-ESSEX-20-1063-A-000035

cc: Philip B. Alagia, Essex County Chief of Staff  
John Tsoukaris, Field Office Director  
Carol M. Frey, Contracting Officer's Representative  
Michael C. Anderson, Assistant Field Office Director