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## Request for records under the Freedom of Information Act

1 message

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Reply-To: jasonleopold@gmail.com

To: US DHS Immigration and Customs Enforcement FOIA Office &lt;ice-foia@dhs.gov&gt;, FOIA &lt;FOIA@hq.dhs.gov&gt;, CBPFOIA@cbp.dhs.gov, "foia.oig" &lt;FOIA.OIG@oig.dhs.gov&gt;

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

### REQUESTER INFORMATION

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### RECORDS SOUGHT

I request disclosure from Immigrations and Customs Enforcement (ICE), Customs and Border Protection and Department of Homeland Security Headquarters and DHS Inspector General the following records:

1. All records, which includes but is not limited to emails, after action reports, reports of investigations, external investigations, search, arrest and seizure records, alien health records, records memorializing repatriation, relating or referring to the following deceased individuals who died while in custody of ICE at the locations listed below, identified in bold:

#### June 3, 2019

**NBC News reports that Johana Medina Leon, 25, complained of chest pains and was brought to Del Sol Medical Center in El Paso, Texas. The transgender woman from El Salvador seeking asylum in the United States died June 1, 2019, in a Texas hospital four days after being released from custody.**

#### May 6, 2019

**Simratpal Singh, 21, an Indian national in ICE custody at the La Paz County Jail (LPCJ) passed away after efforts by medical staff to revive him were unsuccessful. An autopsy is pending to determine the official cause of death.**

**ICE press release: ICE detainee passes away at the La Paz County Jail**

#### April 4, 2019

**Abel Reyes-Clemente, 54, a Mexican national in the custody of U.S. Immigration and Customs Enforcement (ICE) at the Florence Service Processing Center (SPC) passed away Wednesday morning after efforts by medical staff and local paramedics to revive him were unsuccessful. An autopsy is pending to determine the official cause of death.**

**ICE press release: ICE detainee passes away at the Florence Service Processing Center**

#### December 3, 2018

**A Russian national in the custody of U.S. Immigration and Customs Enforcement (ICE) at the Baker County Detention Center died Friday afternoon at a Jacksonville hospital after he went into cardiac arrest and efforts by hospital medical staff to revive him were unsuccessful.**

**Guerman Volkov, 56, was pronounced dead at University of Florida Health Jacksonville Medical Center. Mr. Volkov died two days after he was discharged from another Jacksonville hospital after he made the decision to discontinue all medical treatment. The official cause of Mr. Volkov's death is under investigation but is believed to be cardiac-related natural causes.**

**ICE press release: Russian national in ICE custody passes away at Florida hospital**

**Exhibit A**

**November 26, 2018**

**Mergensana Amar, 40, a Russian national in the custody of U.S. Immigration and Customs Enforcement (ICE) was removed from life support Saturday afternoon, after attempting to take his own life on Nov. 15.**

**After finding Amar unresponsive in his cell at the Northwest Detention Center on Nov. 15, medical staff at the detention center immediately called 911 and began efforts to resuscitate him. Amar was rushed to Saint Joseph's Medical Center in Tacoma, admitted to the hospital's intensive care unit, and placed on life support. While Amar remained on life support through Nov. 24, medical records will mark his official date of passing as Nov. 18, as brain activity ceased on that day. The preliminary cause of death has been identified as anoxic brain injury due to asphyxiation.**

**Despite his previous participation in a hunger strike, Amar remained in good physical health prior to this incident and was monitored daily by ICE Health Service Corps medical professionals. While he refused meals provided by the detention center for a number of days, he began consuming fresh fruit, electrolytes and meal replacement shakes on Sep. 19, consuming sufficient calories to be removed from hunger strike status on October 16. ICE has not previously released the timeline of his hunger strike status due to Amar's repeated threats to resume the hunger strike should its end be made public.**

**ICE press release: ICE detainee passes away at local hospital**

**November 2, 2018**

**Wilfredo Padron, 58, was pronounced dead at Lower Keys Medical Center (LKMC) in Key West, at 7:17 a.m. The official cause of death remains under investigation but it is believed to be "cardiac-related natural causes." The Cuban national in the custody of U.S. Immigration and Customs Enforcement at the Monroe County Detention Center (MCDC) in Key West, Florida, died Thursday at an area hospital after he was found unresponsive in his cell and efforts by facility staff and emergency personnel to revive him were unsuccessful.**

**ICE press release: ICE Detainee Passes Away at Monroe County Hospital**

**July 26, 2018**

**Augustina Ramirez-Arreola, a 62-year-old Mexican national was pronounced dead on July 26, 2018, by medical staff at the Alvarado Hospital in La Mesa, California, while in the custody of ICE. An autopsy is pending to determine the official cause of death. The preliminary cause was identified by hospital staff as complications from surgery. Ms. Ramirez-Arreola had been transferred to the hospital from ICE's Otay Mesa Detention Center earlier in the day for a scheduled surgery to treat a heart abnormality.**

**ICE press release: ICE Detainee Passes Away**

**July 12, 2018**

**Efrain De La Rosa, 40, a Mexican national, was pronounced dead at Southwest Georgia Regional Medical Center in Cuthbert, Georgia, at 11:29 p.m. Stewart facility staff conducting scheduled monitoring discovered Mr. De La Rosa unresponsive in his cell at approximately 10:38 p.m. Facility staff and medical personnel immediately began to perform CPR and contacted Stewart County Emergency Medical Services, which arrived at the facility at 10:48 p.m. The preliminary cause of death appears to be self-inflicted strangulation; however, the case is currently under investigation.**

**ICE press release: ICE Detainee Passes Away at Georgia Hospital**

**June 16, 2018**

**Huy Chi Tran, 47, a Vietnamese national, was transferred to ICE custody on May 25, 2018, and transferred to the Eloy Detention Center on May 28, 2018, pending removal to Vietnam. Mr. Tran was found unresponsive on June 5, 2018, and local paramedics transported him to the Banner Casa Grande Medical Center. He was declared deceased on June 12, 2018; an autopsy is pending to determine the official cause of death.**

**ICE press release: ICE Detainee Passes Away at the Eloy Detention Facility**

**June 8, 2018**

**Zeresenay Ermias Testfatsion, 34, a Eritrean national in transit to his home country, was being held by Egyptian authorities as he awaited removal to Asmara, Eritrea. Egyptian authorities later notified ICE that they found him deceased in a shower area. Egyptian officials later transported the remains to Heliopolis Hospital.**

**ICE press release: ICE Detainee Passes Away in Transit to Home Country**

**Matthew Hoppock submitted a FOIA for Zeresenay Ermias Testfatsion's A file, and USCIS posted a redacted version in response.**

**May 25, 2018**

Roxana Hernandez, 33, a Honduran woman, entered ICE custody on May 13 in San Diego. Two days later, ERO San Diego transferred her to ERO El Paso, and on May 16 Hernandez arrived at the Cibola County Correctional Center in Milan, New Mexico, where she was housed in the transgender unit. Medical staff pronounced her deceased May 25 at 3:32 a.m. (MDT), and identified the preliminary cause of death as cardiac arrest. On May 9, 2018, Hernandez was processed as an expedited removal when she applied for admission at the San Ysidro Port of Entry in California. Advocacy groups identified the deceased's first name as Roxana.

**ICE press release: ICE Detainee from Honduras Passes Away in New Mexico Hospital**

**May 21, 2018**

Ronald Cruz, a 39-year-old Honduran national, died May 16, 2018, at the Valley Baptist Medical Center. Mr. Cruz was arrested on May 9, 2018, for unauthorized entry into the United States and transferred to ICE's Port Isabel Detention Center (PIDC) on May 14, 2018. He was transferred to Valley Baptist Medical Center's intensive care unit on May 16, 2018, where medical staff pronounced him deceased later that day. The preliminary cause of death was identified as cardiac arrest.

**ICE press release: South Texas ICE Detainee from Honduras Passes Away in Local Hospital**

**April 12, 2018**

Gourgen Mirimanian, 54, an Armenian national, died April 10, 2018, at the Texas Health Huguley Hospital. He entered ICE custody at the Prairieland Detention Center (PDC) in Alvarado, Texas, on February 6, 2018. On December 12, 2017, ICE deportation officers encountered Mr. Mirimanian at a Bureau of Prisons facility in Fort Worth, and lodged an immigration detainer on him. On February 6, 2018, the Bureau of Prisons released Mirimanian to ICE custody.

**ICE press release: Dallas-area ICE detainee passes away at local hospital**

**February 21, 2018**

Luis Ramirez-Marcano, 59, a Cuban national, was transported February 17, to KRMC when ICE Health Service Corps (IHSC) medical personnel at the Krome Detention Center determined he should be taken to an emergency room for treatment after complaints of abdominal pain. He passed away the afternoon of February 19. Mr. Ramirez-Marcano had been in ICE custody since January 12 pending his removal to Cuba.

**ICE press release: ICE detainee passes away at Kendall Regional Medical Center in Miami**

**January 31, 2018**

Yulio Castro-Garrido, 33, a Cuban national in the custody of U.S. Immigration and Customs Enforcement (ICE) died Tuesday night at the Mayo Clinic in Jacksonville, Fla. Yulio Castro-Garrido, 33, was transported Jan. 7 to Southwest Regional Medical Center (SWRMC) in Cuthbert, Ga. after ICE Health Service Corps (ISHC) medical personnel at the Stewart Detention Center (SDC) in Lumpkin, Ga. diagnosed him with pneumonia. Mr. Castro entered ICE custody on Nov. 24, following his transfer from the D. Ray James Federal Correctional Institute in Folkston, Ga. Castro was convicted Dec 8, 2016 of conspiracy to transport and move an undocumented alien within the United States by means of transportation and sentenced to a year and one day of confinement and three years of supervised probation. An immigration judge with the Executive Office for Immigration Review ordered Castro to be removed to Cuba Jan. 4; Mr. Castro waived his right to appeal.

**ICE press release: ICE detainee passes away**

**December 4, 2017**

Kamyar Samimi, 64, entered ICE custody at the Aurora Contract Detention Facility (ACDF) on November 17, 2017. ACDF personnel contacted emergency medical services (EMS) when Samimi fell ill on December 2, 2017. After EMS arrived, he became unresponsive and EMS began CPR and transported Samimi to University of Colorado Medical Center (UCMC) in Aurora, Colorado, where he was pronounced dead by UCMC medical staff at 12:02 pm, with the preliminary cause of death being cardiac arrest.

**ICE press release: Denver-area ICE Detainee Passes Away at Local Hospital**

**September 18, 2017**

Felipe Almazan-Ruiz, 51, entered ICE custody in Miami, Florida, on July 12, 2017. On September 8, Almazan-Ruiz was transferred from the Glades County (Florida) Detention Center to the IAH Secure Adult Detention Center in Livingston, Texas, due to an evacuation from Hurricane Irma.

**On September 12, Almazan-Ruiz was initially treated by medical staff at the IAH Secure Adult Detention Center**

and transported to the Livingston Memorial hospital emergency room for treatment of cirrhosis of the liver. He was later transferred and admitted to the Conroe Regional Medical Center because of the high volume activity and limited bed-space at the Livingston Memorial hospital. He died about 5:15 a.m. (CDT) on September 17.

**ICE press release: Houston-area detainee passes away at local hospital**

**September 5, 2017**

Osvadis Montesino-Cabrera, 37, a Cuban national, died at Larkin Community Hospital one week after he was found unresponsive in his hospital shower after a self-inflicted strangulation attempt. Mr. Montesino-Cabrera is the 11th detainee to pass away in ICE custody in FY2017.

**ICE press release: ICE detainee passes away at Larkin Community Hospital**

**June 12, 2017**

Carlos Mejia-Bonilla, 44, a Salvadorian national in the custody of ICE passed away from internal bleeding and hemorrhagic shock. On June 8, 2017, he was admitted to the Jersey City Medical Center's Intensive Care Unit due to gastrointestinal bleeding. On June 10, 2017, Mr. Mejia died due to complications resulting from his condition.

**ICE press release: New York-area ICE detainee passes away**

**June 2, 2017**

Vicente Caceres-Maradiaga, 46, a Honduran national in the custody of U.S. Immigration and Customs Enforcement, collapsed while playing soccer at the Adelanto Detention Facility in California. He passed away a short time later while in an ambulance as he was being transported to Victorville hospital.

**ICE press release: ICE detainee passes away en route to Victorville hospital**

**May 17, 2017**

Atulkumar Babubhai Patel, 58, an Indian national who was briefly in the custody of U.S. Immigration and Customs Enforcement at the Atlanta City Detention Center for two days died Tuesday afternoon at an Atlanta hospital. The preliminary cause of death has been ruled to be complications from congestive heart failure.

**ICE press release: ICE detainee passes away at Atlanta hospital**

**May 15, 2017**

Jean Jimenez-Joseph, 27, a Panamanian national in the custody of ICE died Monday at the Phoebe Sumter Medical Center in Americus, GA, he was found unresponsive in his cell at the Stewart Detention Facility in Lumpkin, GA.

**ICE press release: ICE detainee passes away at Georgia hospital**

**April 14, 2017**

Sergio Alonso Lopez, 55, passed away at Victor Valley Global Medical Center in Victorville, CA, due to internal bleeding.

**ICE press release: ICE detainee passes away in Victorville medical center**

**March 28, 2017**

Osmar Epifanio Gonzalez-Gadba, 32, a Nicaraguan national, passed away at Victor Valley Global Medical Center in Victorville, CA, six days after he attempted to commit suicide.

**ICE press release: ICE detainee passes away in Victorville medical center**

**March 14, 2017**

Roger Rayson, 47, a Jamaican national in the custody of ICE died Monday at Lafayette General Hospital in Lafayette, Louisiana. The cause of death is believed to be cardiac arrest.

**ICE press release: ICE detainee passes away in Louisiana hospital**

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

(A) An agency shall—

(i) withhold information under this section only if—

(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or

(II) disclosure is prohibited by law; and

(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

(II) take reasonable steps necessary to segregate and release nonexempt information. . . .

ICE and DHS and DHS components should not fail to comply with this mandatory part of the FOIA as recently amended by Congress. The Agency is required to identify what reasonably foreseeable harm would flow from release of the information withheld, nor did it consider a partial disclosure of the information, taking reasonable steps to segregate and release nonexempt information.

#### INSTRUCTIONS REGARDING SEARCH

##### 1. Request for Public Records:

Please search for any records even if they are already publicly available.

##### 2. Request for Electronic and Paper/Manual Searches:

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted. I further request that the agencies conduct a search of its “soft files” as well as files in its locked cabinets.

##### 3. Request regarding Photographs and other Visual Materials:

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the agencies maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

##### 4. Request for Duplicate Pages:

I request disclosure of any and all supposedly “duplicate” pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, though certain pages may have been previously released to me, the existence of those pages within new context renders them functionally new pages. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all “duplicate” pages.

##### 5. Request to Search Emails:

Please search for emails relating to the subject matter of my request.

##### 6. Request for Search of Records Transferred to Other Agencies:

I request that in conducting its search, the agencies disclose releasable records even if they are available publicly through other sources outside the agencies, such as NARA.

#### FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

#### FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am the senior investigative reporter for BuzzFeed News and formerly senior investigative reporter and on-air correspondent for VICE News. Additionally, my reporting has been published in The Guardian, The Wall Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, The Nation, Truthout, Al Jazeera English and Al

Jazeera America.

I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), "Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

Please do not hesitate to contact me if you have any questions concerning this request.

Thank you. I appreciate your time and attention to this matter.

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**BuzzFeed News**

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