

Anthology of Abuse: 13 Years at the Farmville Detention Center

Background

In 2008, the Town of Farmville in Virginia entered into an intergovernmental service agreement (IGSA) with Immigration and Customs Enforcement (ICE) for the detention of immigrants. The town subsequently subcontracted operation of the detention center to Immigration Centers of America (ICA), a newly formed private prison corporation founded by two executives of Harper Associates LLC, a real estate development company, and the president of AMF Bakery Systems, a bakery equipment manufacturing company.¹ Despite protests from people across the state marching on Town Hall to oppose construction plans,² Immigration Centers of America-Farmville (ICA-Farmville) opened in 2010, becoming the largest immigration detention center in the mid-Atlantic region at the time. ICE is able to detain 722 people at the facility, which is located 150 miles from its overseeing field office. Though intended to boost the town's economy through a kickback scheme written into the contract,³ the unethical profits from incarcerating immigrants at the facility ultimately amount to only two percent of the town's budget, and its true legacy has been countless lawsuits and investigations filled with stories of rampant abuse.⁴

Despite ICA's marketing emphasizing its operations as more humane than other prison alternatives,⁵ the Farmville facility is notorious for its brutality, abuse, and neglect.⁶ For over a decade, people detained at the facility have been subject to harsh conditions, including use of force, solitary confinement, retaliation by staff, inadequate medical and mental health care, meager and barely edible food, and limited access to counsel and family members. Without regard for the health and safety of the people it detains, ICA-Farmville is particularly known for severe overcrowding. Even before the facility officially opened, ICA successfully lobbied to increase the facility's stated capacity by 300 people to maximize its early profits, and later accounts recorded the population sometimes nearing 800 people with people sleeping in four-stack bunk beds or on unfixed cots and mattresses.⁷

¹ Lennon, Will. "Amid Lawsuits and Investigations, COVID-19 and Immigration Centers of America Continue to Spread." Washington City Paper. June 10, 2020.

² National Immigrant Justice Center. "The Dark Money Trail behind Private Detention: Immigration Centers of America-Farmville." October 2019. https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2019-10/NIJC-policy-brief_ICA-Farmville_Oct2019.pdf.

³ Ibid.

⁴ Schwenk, Katya. "The ICE Facility Where Almost Every Detainee Has Coronavirus." The American Prospect. August 12, 2020. <https://prospect.org/justice/farmville-ice-facility-almost-every-detainee-has-coronavirus/>.

⁵ See ica-farmville.com. https://ica-farmville.com/?page_id=2.

⁶ La ColectiVA, Sanctuary DMV, Detention Watch Network, and Advancement Project. "Brutality, Abuse & Neglect at the ICA-Farmville Detention Center." October 2021. <https://lacolectiva.org/ica-farmville>.

⁷ "Cuccinelli Cut Red Tape When ICE Facility Was on the Rocks." The Farmville Herald. April 16, 2013. <https://www.farmvilleherald.com/2013/04/cuccinelli-cut-red-tape-whenice-facility-was-on-the-rocks/>.

These conditions exacerbated an environment already vulnerable to disease outbreaks. A mumps outbreak overtook ICA-Farmville in 2019, foretelling the devastation COVID-19 would cause at the facility just a year later. At the height of the pandemic, ICA-Farmville woefully mismanaged an outbreak resulting in 93 percent of people within the facility testing positive for the virus—the largest COVID-19 outbreak in the entire detention system at the time. Ultimately, James Hill, who was medically vulnerable to COVID-19 and set to return home to Canada in July, tragically died in August 2020 after being infected.

This outbreak led a federal judge to bar ICE from transferring anyone into the facility for nearly two years, leaving it completely empty in August 2022. Since the lifting of the court's injunction, ICE has begun transferring people back into ICA-Farmville. 60 people are detained there as of early July 2023.

Purpose

ICE insists through internal inspections that ICA-Farmville is in compliance with “strict detention standards” despite years of evidence exposing the facility’s inhumanity. ICA-Farmville is proof that regardless of the amount of oversight conducted, complaints filed, and legal battles endured, ICE detention is rotten to its core and incapable of improvement. The facility must be shut down.

This brief is intended to provide an evidence bank for this argument. For years, people detained at ICA-Farmville, advocates, lawyers, government agencies, and journalists have witnessed, investigated, and detailed the horrors of confinement at the facility, creating a long paper trail of abuse. Yet as we approach the new contract deadline on September 15, 2023, ICE continues to transfer more people to the facility.

We cannot settle for oversight and promises to address conditions. The damning trail of evidence shared in this brief demonstrates that the only solution is to shut down ICA-Farmville and release the people inside. What follows is a comprehensive, but by no means exhaustive summary of evidence and collection of resources from a variety of perspectives substantiating the ongoing demand for closure.

The Paper Trail

Advocates and Directly Impacted Individuals

Individuals who have been detained at ICA-Farmville have long decried the extensive human rights abuses at the facility through hunger strikes and protests, sharing their testimony with public officials and the media, and filing lawsuits to stop unlawful practices. A coalition of advocates in the state—Free Them All VA (FTAVA)—formed to amplify the demands of immigrants detained at the facility. FTAVA has collected numerous testimonials from people

detained at ICA-Farmville, detailing the horrific conditions inside the facility.⁸ Advocate reports have also highlighted the facility as one of the clearest examples of the egregious inadequacies and culture of violence in immigration detention.⁹¹⁰

Many of these accounts highlight ICA-Farmville's consistent use of physical and psychological abuse as a form of retaliation against people who are detained. In response to hunger strikes during both the mumps and COVID-19 outbreaks, guards retaliated against immigrants for protesting the unsafe conditions of their detention by deploying pepper spray, exercising violent force, and isolating individuals in solitary confinement.¹¹¹² Documents obtained through the Freedom of Information Act (FOIA) by the Advancement Project, and released in conjunction with La ColectiVA, Sanctuary DMV, National Immigrant Justice Center, and Detention Watch Network also revealed several instances of indiscriminate use of pepper spray, persistent use of force by officers, and unjustified use of restraints—including one instance where an individual was pepper sprayed while fully restrained and subjected to more torturous treatment.¹³ This was corroborated by testimonies of several currently and formerly detained people and their families who spoke out against the facility before the Farmville Town Council.¹⁴¹⁵¹⁶

These issues came to the forefront as ICA-Farmville faced the worst COVID-19 outbreak in ICE detention at the time. People detained at the facility, represented by the National Immigration Project and Legal Aid Justice Center, filed a lawsuit against ICE and ICA-Farmville over their gross mishandling of the COVID-19 pandemic in *Santos Garcia v. Wolf*.¹⁷ Within a few weeks, a federal district court judge enjoined ICE from transferring anyone into ICA-Farmville.¹⁸ An inspection report prepared by a correctional health expert in the litigation detailed the numerous

⁸ See “Testimonies” under References and Additional Resources

⁹ Ghandehari, Setareh, Luis Suarez, and Gabriela Viera. “First Ten to Communities Not Cages.” Detention Watch Network. 2021. <https://www.detentionwatchnetwork.org/sites/default/files/reports/DWN%20First%20Ten%20to%20Communities%20Not%20Cages.pdf>.

¹⁰ American Civil Liberties Union. “Letter to DHS Secretary Mayorkas Regarding ICE Detention.” April 28, 2021. <https://www.aclu.org/documents/letter-dhs-secretary-mayorkas-regarding-ice-detention>.

¹¹ MacLeod, Alan. “New FOIA Docs Expose Conditions in Private Immigration Prison So Bad That Even ICE Was Shocked.” Mint Press News. August 20, 2020. <https://www.mintpressnews.com/foia-docs-expose-conditions-ica-farmville-so-bad-even-ice-shocked/270593/>.

¹² Ackerman, Spencer. “Detainees Say ICE Fired on Them During Coronavirus Protest.” Daily Beast. June 30, 2020. <https://www.thedailybeast.com/detainees-say-ice-fired-on-them-during-coronavirus-protest>.

¹³ “Brutality, Abuse & Neglect at the ICA-Farmville Detention Center.” Ibid.

¹⁴ Free Them All VA. “Hanif’s Testimony.” Farmville Town Council Meeting. August 11, 2021. <https://medium.com/free-them-all-va/hanifs-testimony-faf2d7732ac6>.

¹⁵ “Town Council Meeting | August 11, 2021.” Farmville, Virginia. Minute 6:45. Livestream August 11, 2021. <https://www.youtube.com/watch?v=mBjaNwjsfZM&t=405s>.

¹⁶ “Town Council Meeting | July 13, 2022.” Farmville, Virginia. Minute 4:05. Livestream July 13, 2022. <https://www.youtube.com/watch?v=rFAWu1i9GOo&t=245s>.

¹⁷ Santos Garcia v. Wolf (E.D. Va.). Complaint for declaratory and injunctive relief. Filed July 21, 2020. https://nipnlq.org/sites/default/files/2023-05/2020_21Jul_garcia-v-wolf.pdf.

¹⁸ Judge Brinkema, Leonie. Santos Garcia v. Wolf (E.D. Va.). Order. August 11, 2020. https://nipnlq.org/sites/default/files/2023-05/2020_11Aug_garcia-v-wolf-order.pdf.

failings of ICA-Farmville to protect people detained during the outbreak.¹⁹ The injunction barring transfers into the facility remained in effect for nearly two years until July 2022, when the parties in the litigation agreed to settle the case.²⁰

The COVID-19 crisis at ICA-Farmville was not an anomaly – it highlighted issues that detained people and allies have been raising the alarm about for years, including retaliation, physical and verbal assault, overcrowding and unsanitary living quarters, refusal to provide medical and mental health care, and inadequate food. Unless ICA-Farmville is shut down, these issues will persist and worsen.

Government Oversight

Oversight mechanisms in place to review ICE detention are inadequate and/or unenforceable. The Department of Homeland Security (DHS) Office of the Inspector General (OIG) has found that the infrequency, advance notice, and scope of ICE’s primarily internal inspections process is conducive to leaving deficiencies unaddressed for years, despite numerous inspections of individual facilities revealing conditions severe enough to threaten the health and safety of people in custody.²¹ Even where there is a proven pattern, as has been documented at ICA-Farmville, accountability mechanisms are virtually nonexistent.

There have been a variety of government investigations and inspections at ICA-Farmville, particularly in recent years as the facility was one of the hardest hit during the COVID-19 pandemic. Virginia senators Mark Warner and Tim Kaine sent DHS multiple oversight letters challenging ICE’s behavior as an increasing majority of the detained population contracted the virus during the summer of 2020 and they failed to receive adequate response from the agency.^{22,23} In one of their follow up letters, they explicitly accuse ICE of “endangering a staggering number of lives,” including those of their constituents. Virginia representative Gerry Connolly also wrote to ICE, calling for the immediate release of everyone detained at ICA-

¹⁹ Venters, Homer. “Farmville Detention Inspection Report of Dr. Homer Venters.” September 4, 2020. https://nipnlq.org/sites/default/files/2023-05/2020_08Sept_garcia-v-wolf-report-dr-venters.pdf.

²⁰ Santos Garcia v. Wolf (E.D. Va.). Settlement Agreement Regarding Counts I-II of Plaintiff’s Second Amended Complaint. July 6, 2022. https://nipnlq.org/sites/default/files/2023-05/2022_6July-SantosGarcia-settlement-agreement.pdf.

²¹ U.S. Department of Homeland Security Office of the Inspector General. “ICE’s Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements.” June 26, 2018. <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.

²² Kaine, Tim and Mark Warner. Letter to Acting DHS Secretary Chad Wolf. June 26, 2020. https://www.warner.senate.gov/public/_cache/files/1/d/1dbcaa3d-f248-478f-8848-d99eb2d07883/3820E710E23C39D23ABCE2782D5C7AA6.6.26.20-letter-to-dhs-final.pdf.

²³ Kaine, Tim and Mark Warner. Letter to Acting DHS Secretary Chad Wolf and Acting ICE Director Matthew Albence. July 16, 2020. https://www.warner.senate.gov/public/_cache/files/1/7/17d3115d-628d-43c8-b57f-ed3cd037d66a/CAED96AAD0D6B29875354DA986E305D8.2020-07-16-farmville-follow-up-final.pdf.

Farmville since “it is clear that ICE cannot or will not take the steps necessary to ensure the safety and wellbeing of those who are in detention.”²⁴

By the fall that year, the CDC,²⁵ DHS’ Office of Civil Rights and Civil Liberties (CRCL),²⁶ and a former chief medical officer for New York City jails²⁷ all inspected ICA-Farmville with damning results. According to the independent inspector who produced his report as part of the *Santos Garcia v. Wolf* litigation, the facility ignored vital public health guidance and failed to provide basic medical care. This included reckless mass transfers to the facility, delays in response to sick call requests, and woefully deficient screening procedures, from neglecting to inquire about the presence of symptoms to failing to address language barriers.²⁸ The officer went as far to call the deficiencies “systematic” and encourage ICE to release high-risk individuals from the facility. Meanwhile, CRCL’s investigation was conducted in response to numerous complaints submitted to the office regarding conditions, medical and mental health care, suicide prevention, sexual abuse prevention, and environmental safety issues. While the report is heavily redacted—adding to the system’s obscurity and lack of public accountability—the team of government-contracted experts made 43 recommendations overall, 20 of which concerned medical care alone.

These issues, however exacerbated by the pandemic, were present all along at ICA-Farmville. Just over a year after ICA-Farmville opened, Anibal Ramirez-Ramirez, a 35-year-old Salvadoran man, died within five days of being processed into the facility. ICE’s own investigation revealed that the facility did not perform a medical screening when he arrived at the facility or provide him with appropriate medical care.²⁹ Another CRCL investigation in 2015 that was also conducted in response to formal complaints resulted in 22 recommendations. Despite ICE’s assertion that the facility had addressed all concerns, CRCL released a memo a year later acknowledging that the office continued to receive numerous complaints from people detained at the facility, primarily related to medical concerns and use of force incidents.³⁰

²⁴ Connolly, Gerry. Letter to Acting ICE Director Matthew Albence. July 16, 2020. https://connolly.house.gov/uploadedfiles/ice_letter_re_farmville.pdf.

²⁵ U.S. Centers for Disease Control and Prevention. “Assessment of COVID-19 Transmission Among Employees and Detained Persons and Infection Prevention & Control Practices at the Farmville Detention Center—Farmville, VA, June-August 2020: Report.” September 11, 2020. <https://www.wric.com/wp-content/uploads/sites/74/2020/10/CDC-Report-Farmville-Detention-Center-Sept-2020.pdf>.

²⁶ Mina, Peter. U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Memorandum to ICE Leadership. May 26, 2021. https://www.dhs.gov/sites/default/files/2022-09/2021.05.26%20CRCL%20Expert%20Rec%20Memo%20to%20ICE_Farmville%20ICAF_Redacted_508.pdf.

²⁷ Venters. Ibid.

²⁸ Dr. Venters found that while about half of people detained were monolingual Spanish-speakers, no health staff that conducted screenings spoke Spanish and there was never an interpreter present.

²⁹ Immigration and Customs Enforcement Enforcement and Removal Operations. Detention Standards Inspection Report: ICA-Farmville Detention Center. October 4-6, 2011. <https://www.documentcloud.org/documents/2388770-ica-farmville-va-2011-ero-inspection.html#document/p161>.

³⁰ Mack, Megan and Susan Mathias. Department of Homeland Security Office for Civil Rights and Civil Liberties Memorandum to ICE Leadership. September 6, 2016. https://www.dhs.gov/sites/default/files/publications/farmville-detention-center_09-06-16.pdf.

The Media

For years, ICA-Farmville has been the subject of reports exposing the abuses immigrants face in ICE detention. One of its most infamous media moments was when reports surfaced revealing that over 90% of people detained at the facility had tested positive for coronavirus. Specifically, investigations exposed that ICE had lied about the reason for the mass transfer of people to ICA-Farmville that incited the outbreak. Despite ICE's claims that the transfers were made to facilitate social distancing, a DHS official with direct knowledge of the operation and a former ICE official shared with the Washington Post that the true reason was to circumvent certain restrictions for chartering flights in order to deploy agents to help suppress the 2020 racial justice uprisings in Washington, D.C.—as confirmed by a memo from a top DHS official that the outlet also obtained.³¹

In addition to its disgraceful motives, the agency's decision threatened the lives of the people in its custody and ultimately proved fatal for James Hill, a 72-year-old man who died after contracting COVID-19 at ICA-Farmville. Reuters' profile of Hill describes how he was slated to return home to Canada in July, but tragically never made it as his medical complications grew grave.³² The piece also mentions how he was one of the victims of a retaliatory attack by facility guards pepper spraying people who were hunger striking in protest of the dangers of their confinement. This is not unusual behavior at ICA-Farmville. While this outbreak ravaged the facility, reporting on the FOIA records obtained by the Advancement Project contextualized the horrors of pandemic detention at ICA-Farmville within a long history of abuse, with appalling details of guard violence, maggot-infested meals, and threats that any complaints would negatively affect a person's immigration case.³³

The media has also amplified police suppression of organizing efforts.³⁴ In 2020, FTAVA members faced arrest and the group received a broad search warrant in an effort to indict people who participated in protests outside the homes of government officials. The warrant sought nearly all of the content of the group's Facebook page, which would include sensitive information about undocumented people in communication with the group. Exposing this violence and suppression illustrates the lengths to which ICE in coordination with private

³¹ Olivo, Antonio and Nick Miroff. "ICE Flew Detainees to Virginia so the Planes Could Transport Agents to D.C. Protests. A Huge Coronavirus Outbreak Followed." Washington Post. September 11, 2020. https://www.washingtonpost.com/coronavirus/ice-air-farmville-protests-covid/2020/09/11/f70ebe1e-e861-11ea-bc79-834454439a44_story.html.

³² Rosenberg, Mica. "Special Report: Almost Home – COVID-19 Ensnarers Elderly ICE Detainee from Canada." Reuters. August 14, 2020. <https://www.reuters.com/article/us-health-coronavirus-immigration-canadi/special-report-almost-home-covid-19-ensnarers-elderly-ice-detainee-from-canada-idUSKCN25A1FL>.

³³ MacLeod. Ibid.

³⁴ White, Josh and Nick Miroff. "The Profit of Detention." Washington Post. October 5, 2008. <https://www.washingtonpost.com/wp-dyn/content/article/2008/10/04/AR2008100402434.html>.

corporations and other law enforcement agencies will go to continue the abusive incarceration of immigrants.

The Solution

Directly impacted individuals, advocates, government oversight bodies, and journalists have all documented the nearly three decades of abuse at the Farmville Detention Center. As we approach the contract end date for the facility, we urge the administration to side with immigrant communities over the interests of a private prison corporation.

The detention system has always been plagued by egregiously poor conditions and a culture of violence, and ICA-Farmville is no exception. Years of inspections, protests, and reporting have proven that there is no fixing it. When it comes to detention, we demand decisive action. Closing ICA-Farmville is a critical step for the administration to make good on its promise to protect immigrants and move us towards a more humane immigration system.

We have only one recommendation for the Farmville Detention Center: the administration must immediately release everyone currently detained at the facility and shut it down.

References and Additional Resources

Advocates and Directly Impacted Individuals

Testimonies of People Detained at ICA-Farmville

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4. Free Them All VA. "Oscar's Testimony." July 2021. <https://medium.com/free-them-all-va/oscars-testimony-cddc28d7f1a6>.
5. La ColectiVA. "Stories of ICE's Violence at ICA-Farmville." <https://static1.squarespace.com/static/589cf40df7e0ab05b67db7ec/t/5fbc1194dfad541b86742a22/1606160788714/ColectiVA+ICA+-+EN.pdf>.
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