MEDICAL PROVIDERS NETWORK
FALL 2021 UPDATE REPORT

May - October 2021
NYLPI's Medical Providers Network (MPN) has a growing number of volunteer healthcare professionals who are dedicated to raising awareness of the health crisis in immigration detention. As of December 1st, our network has 240 volunteers, including licensed doctors, medical students, nurse practitioners, licensed social workers and mental health providers. Our volunteers review medical records, develop advocacy letters, visit individuals in immigration detention facilities, conduct in-person consultations or medical interviews and provide testimony supporting individuals in immigration proceedings. The power of our volunteers’ expertise can be a force of change and is used to advocate for better care for people who are detained, supports requests for their release and contributes to strategic, systemic change.

### A Breakdown of the Network

- **Total Volunteers**: 240
- **Licensed Physicians & Residents**: 147
- **Medical Students**: 68
- **Licensed Mental Health Providers**: 18
- **Nurse Practitioners**: 4
- **Social Workers & Other Advocates**: 3
Hello all,

We hope that you are doing well and have been able to take a moment to rest and recharge from this previous year and all of the challenges that came with it. As the holiday season approaches, it is important to reflect on our network’s important work and our efforts to address the human rights crisis in immigration detention.

This summer, our network saw a reduced demand for Covid-19 medical advocacy referrals for immigrants in Immigration and Customs Enforcement (ICE) custody. We believe that this is due to a shift in the level of concern that immigration judges have around Covid-19 risks for individuals in detention, as more individuals are accessing Covid-19 vaccines while in custody.

Although, access and eligibility to vaccinations have significantly expanded in detention settings with 20,000 vaccinations provided as of August 8th, the ongoing Covid-19 pandemic and its variants continue to pose a major threat to the health and wellbeing of thousands of immigrants detained by ICE nationwide, especially those with underlying health conditions and/or have declined to be vaccinated. Since the pandemic began in March of 2020, ICE has reported over 20,000 confirmed infections, as well as at least 10 coronavirus-related deaths among the detained population. As of November 4, 2021, there were 517 people with Covid-19 currently in custody and under “isolation and monitoring.” This number excludes people who previously tested positive for Covid-19 and were either returned to the general population after a discontinuation of medical monitoring/isolation or are no longer in ICE custody.

In the past few months, we have seen a significant increase in requests for mental health evaluations and cognitive assessments for individuals with ongoing asylum applications. Approximately 26% of all the case referrals we received since May of 2021, were requests for mental health evaluations or cognitive assessments. Unfortunately, due to the network’s limited number of mental health providers, many of these mental health and cognitive assessment requests were referred to partner organizations and other medical networks. To help us reach and recruit more mental health providers, please share information about NYLPI’s MPN with your colleagues and institutions.
Important Efforts Related to the Network and Our Work

Over the past six months, the MPN, in collaboration with community and coalition partners, has participated in and led advocacy to demand change. Below are a few of those initiatives:

**• MPN Research and Advocacy**

In partnership with NYLPI’s UndocuCare Program, medical volunteers are working with program leaders and advocates to research new avenues for medical advocacy, including ankle monitoring and digital surveillance advocacy (medical advocacy to support requests to have ICE remove people from invasive and harmful surveillance programs). We hope that this research will allow our MPN leadership committee and NYLPI staff to assess whether the MPN can support this additional advocacy effort.

Recently, the MPN began providing medical country conditions affidavits, that are used to support immigrant clients with existing medical conditions at risk of being forced to return to a country lacking the necessary medical infrastructure for them to access adequate medical care. These letters can be critical to support a person’s request to remain in the U.S. For example, an MPN member provided a country conditions affidavit to support Mr. J., a longtime New Yorker originally from the Dominican Republic. The affidavit explained that if deported to the Dominican Republic, Mr. J. would be unable to access the medical care necessary to treat his significant medical conditions. The MPN doctor explained that if Mr. J. was unable to access critical medical care, his health and wellbeing would face a rapid and dangerous medical decline. The network has identified medical providers with first-person expertise on providing medical care in 9 countries, including El Salvador, Uganda, Ecuador, Nicaragua, Cuba, Guatemala, Mexico, and the Dominican Republic, that are well suited to provide this advocacy.

**• Supported Community Demands to End ICE Contracts and Stop Transfers**

The MPN continued to engage in various community and policy organizing efforts to demand that New York and New Jersey end all contracts between their jails and prisons and ICE, with the goal of ending immigration detention entirely in New York and New Jersey. In New Jersey, with the ending of these contracts, we have additionally advocated that immigrants in detention should be released rather than transferred to an out of state facility.

**• Open Letter to ICE from Healthcare Providers Addressing Hunger Strikes**

In the face of hunger strikes inside immigration detention facilities and jails, MPN volunteers and allies sent a new open letter to ICE with over 470 healthcare professionals signing on to it. The letter addresses the seriousness of the hunger strikes carried out by people that are detained as a form of protest against the dangerous treatment and conditions within these facilities. Medical providers also addressed the threat that transfers of people between facilities and deportations pose on the health and safety of immigrants and their communities and called on ICE to release all people confined in immigration detention.

**• Community Education to Share Vital Information on Covid-19 Vaccine Safety and Eligibility for Immigrant Communities in New York City**

Longtime MPN volunteer and advocate, Dr. Carolina Miranda, joined NYLPI and our community partners in an educational webinar series, Health Justice Talks, developed to bridge the gap between expert information and community public health and equity concerns. Dr. Miranda participated in the first installment of the series that includes two Know-Your-Rights videos to help bring awareness and information to local communities on the importance of the Covid-19 vaccine and vaccine boosters. This particular webinar series focuses on a myriad of Covid-19 vaccine related issues, including the Key to NYC Pass and provides necessary information for immigrant owned and immigrant serving business owners impacted by the City’s vaccine policies.
Our Internal Referral Process

1. Client's attorney reaches out to NYLPI to request medical advocacy support from the MPN
2. NYLPI receives referral email and case information
3. Client case data & medical records are collected and case request reviewed by NYLPI staff for placement
4. NYLPI reaches out to network and connects with volunteer(s).
5. Medical volunteer(s) are onboarded to the case. Most often, a medical student is paired with licensed provider. The medical duo then receive medical records and available information for review
6. Medical volunteer(s) review available medical records and or conduct consultation in-person at the detention center or via video conferencing
7. Volunteer(s) work together to develop medical advocacy letter
8. NYLPI staff reviews letter and sends the finalized medical letter to the client's attorney for review and approval
9. The client's attorney receives the final medical letter and submits it to the court

Important Case & Referral Data
May to October 2021

35
Total Case Referrals Received by the Network

26
Cases Supported by the Network

9
Covid-19 Related Medical Advocacy Letters
These Covid-19 risks letters were written to support individuals’ request for release from ICE custody and NYC jails.

3
Individuals Successfully Released from Custody

4.5k
4,562 Pages of Medical Records Reviewed and Analyzed by Medical Teams
Types of Case Referrals Received

Criminal Justice Referral Requests
Individuals in NYC jails and prisons in need of medical advocacy due to their elevated risk for Covid-19 related medical complications
8.57%

Covid-19 Specific Referral Requests in Immigration Detention
Individuals in ICE custody in need of medical advocacy due to their elevated risk for Covid-19 related medical complications
17.14%

Immigration Related Referral Requests
Individuals detained by ICE in need of mental health competency evaluations, forensic asylum evaluations or other health related advocacy
74.28%

Recurring Health Conditions in Detention Facilities and NYC Jails

The people referred to NYLPI have a variety of complex, chronic and unique health conditions that are further exacerbated by detention. The following conditions were frequently identified by the MPN and found to be inadequately treated in detention.

Mental health conditions and disorders:
- Schizophrenia
- Bipolar Disorder
- Post-Traumatic Stress Disorder (PTSD)
- Anxiety, Depression, Mood Disorder
- Substance Use Disorders

Conditions that lead to cardiovascular diseases and worsening health outcomes:
- Obesity
- Hypertension
- High Cholesterol and Blood Pressure
- Cardiac History, including past heart attacks

Pulmonary diseases that elevate Covid-19 related risks:
- Asthma

Conditions requiring pain management:
- Headaches and Migraines
- Chronic Pain and lack of pain medication
- Arthritis

Legal Matters MPN Advocacy Supported

To learn about each type of legal matter, please click the titles below.

- Asylum
- Cancellation of Removal
- Withholding of Removal
- Petition for Habeas Corpus
- Humanitarian Parole Request
- Relief under the Convention Against Torture
- Release for Request Pursuant to Fraihat Legal Ruling

Immigration Detention Facilities and Jails Breakdown

The MPN provided advocacy for individuals being held in the following facilities and jails:

- Hudson County Correctional Facility 28%
- Orange County Correctional Facility 17%
- Other Detention Facilities 16%
- Bergen County Jail 12%
- Essex County Correctional Facility 12%
- Rikers Island Jail Complex 12%
After years of protests, pressure and tireless work of immigrant rights and medical advocates, organizers and community organizations, on August 20th, 2021, New Jersey Governor Phil Murphy signed into law legislation (S3361/A5207) that prohibits the state from entering into or renewing local and private contracts with ICE, marking a momentous victory in the movement to end the detention of immigrants. Over the past year, these ICE contracts have been protested against by community members and people inside detention by going on hunger strike.

In early 2021, over 140 people detained by ICE went on hunger strike in New Jersey jails, demanding their release and to protest the deplorable conditions in the jails and facilities in which they were detained. Unfortunately, instead of honoring the demands of hunger strikers, advocates and elected officials to release individuals from custody, ICE has continued to remove, detain and transfer immigrants to other faraway facilities. Our MPN sent an Open Letter to ICE demanding they release all immigrants, to stop all transfers of people between facilities, and to comply with the Centers for Disease Control and Prevention's (CDC) guidelines on the prevention, testing and treatment of Covid-19, to safeguard thousands of individuals and families in custody as well as our communities impacted by these immigration enforcement practices.

What Is Happening Now?

The Critical Threat of Transfers

As pointed out by public health experts nationwide, and within our own network, the transfer of individuals between facilities is one of the main culprits for the continued spread of Covid-19 among people detained by ICE. Transfers are unnecessary, harmful, and devastating to both the legal outcomes of individual legal cases and to the health and wellbeing of individuals in ICE custody.

- For people with existing medical conditions, transfers can interrupt necessary and urgent medical care, risk a change in prescribed medications, and/or leave a gap in care during the transfer process.
- Clients transferred outside of New Jersey or New York are separated from the strong legal community of immigration experts in this region, particularly state-funded deportation and detention defense services, causing additional stress, confusion, and hardship to seek new representation in the region they have been transferred.
- Those transferred to remote locations are at greater risk of losing contact with their families, their broader communities and established support networks, often causing a heavy emotional toll on detained people and their family members.

What is the Abolish ICE NY-NJ Coalition?

New York Lawyers for the Public interest and our MPN are active members of the Abolish ICE NY-NJ Coalition. This coalition is made up of impacted community members, organizers, and advocates from more than 20 national and local organizations, including the Queer Detainee Empowerment Project, Freedom for Immigrants, Doctors for Camp Closure and many more. The coalition envisions and works towards an end to detention, ICE, and policies that criminalize immigrants, specifically focused on the New York and New Jersey area. If you are interested in joining or learning more about the coalition and its efforts, please email Mia Soto, Health Justice Community Organizer at msoto@nylpi.org. The Coalition meets every Monday evening via Zoom, open to all.
The Dire Situation at Hudson County Correctional Facility and Other NJ Facilities

This October, the MPN also signed Abolish ICE NY-NJ Coalition’s petition, demanding ICE immediately release the approximately 43 individuals being held at Hudson County Correctional Center in New Jersey, as it declared that they will no longer detain immigrants after November 1st. Although, the county facility only gave 10 days' notice for people to submit requests for release before being transferred, ICE received 28 request applications from detained individuals and their legal teams. According to information gathered from Documented NY, out of the 43 immigrants detained at the Hudson County Correctional Facility,
- 9 were released from custody;
- 5 were deported — as ordered by an immigration judge; and
- 29 were transferred from Hudson to the Orange County facility.

Additionally, as New Jersey phases out ICE detention, other NJ facilities are in a similar situation. For example, Bergen County Jail stated that it would not detain anybody after November 12, 2021. Unfortunately, most of the people detained there were not released but transferred to a Buffalo Federal Detention Facility, also known as Batavia Jail. This facility is located in Upstate New York and is more than 330 miles away from people’s families and legal assistance groups. Advocates in New Jersey have told local news outlets that people’s families and attorneys were not notified about the transfers and none of the people detained at Bergen County were able to take their personal belongings, including paperwork relating to their legal cases. According to the New Jersey Monitor, The Bergen County Jail’s detention center was the last of the state’s publicly run jails detaining immigrants, after the Essex County Correctional facility “depopulated” in late August and Hudson County Correctional Center earlier this month.

The last facility that continues to detain immigrants in New Jersey is the privately owned Elizabeth Detention Center, which recently extended its contract with ICE until August 2023, that as of August included more than 100 people.

Continuing the Work in New York

The MPN continues to support the passage of The New York Dignity Not Detention Act, alongside our community partners at the Abolish ICE NY-NJ Coalition. The Act prohibits New York State from entering into contracts or renewing existing contracts with ICE.
Just days before the deadline to submit release requests for individuals in Hudson County Correctional Facility before being transferred to a faraway jail, Dr. Mariya Masyukova and medical student Caroline Heres Kane, both active members of the MPN, worked tirelessly to deliver a medical advocacy letter to support Mr. Navo’s release.

Mr. Navo, a seriously ill, adult Hispanic/Latino male, was in immigration custody for more than five months. The medical team found that ICE was already not providing Mr. Navo adequate care in detention, and that transfer to another facility and the resulting gap in the limited care he was receiving, would increase his risk for severe health complications and even death.

Together, Dr. Masyukova and Caroline reviewed Mr. Navo’s medical records and history and determined that he suffered from obesity, hypertension, gout, osteoarthritis, and major depressive disorder. The medical duo determined that the longer Mr. Navo stayed in detention, the higher his risk of severe medical complications related to his underlying medical conditions. Furthermore, they concluded that the conditions in detention placed him at a higher risk of contracting Covid-19, and if infected, his medical diagnoses increased his risk of severe complications and death.

The medical team also found that Hudson County Correctional Facility’s treatment of Mr. Navo did not meet the medical standard of care for his conditions (e.g., he was not provided: adequate pain management, monitoring of kidney function and urate levels, or hypertension management). Resultingly, the MPN team determined Mr. Navo was at an increased risk for serious kidney and renal complications, development of chronic kidney failure and other disease and/or cardiovascular complications, such as congestive heart failure.

Just a week after Dr. Masyukova and Caroline submitted their final declaration to Mr. Navo’s attorney, we learned that he was one of the few individuals held at Hudson to be granted release, rather than being transferred to another facility. According to his immigration attorney, “the written assessment was absolutely crucial in not only getting him out of detention but also giving him another day to keep fighting his deportation case. I cited heavily to the written assessment in his release request as well as at his trial court appearance last week to argue why we could not proceed with the trial that day. And now that he is out of detention, he can start receiving proper medical treatment.”
NYLPI is always considering new avenues for medical advocacy and opportunities to engage the medical community and volunteers in our work. This fall, we are excited to partner with several medical providers on research efforts that will allow the MPN leadership committee and NYLPI staff to assess whether the network is able to support additional immigrant clients through this new method of advocacy.

**Expanding our Expert Medical Country Conditions Declaration Service**

Through NYLPI’s work we have found that “country conditions” evidence related to specific medical diagnoses and available treatments in other countries for those diagnoses proves critical to individual advocacy. MPN members have firsthand experience providing medical care abroad and can speak knowledgeably about challenging conditions clients would face if forced to return to certain countries lacking the medical infrastructure to allow our clients to access adequate medical care, or where a person’s condition or diagnosis could be the basis for discrimination and persecution in those countries.

We hope to harness the MPN’s first-person experiences in other countries to build a repository of healthcare focused expert country conditions declarations that can be used to support individual cases and prevent deportations that could be detrimental to people’s health.

Are you a medical advocate with past experience in providing medical care in a country other than the United States and interested in supporting this effort? Please email Mia Soto, Health Justice Community Organizer at msoto@nylpi.org.

**Ankle Monitor Removal and Digital Surveillance Research**

The NYLPI team has identified a new trend in ICE surveillance; more and more of our clients are being enrolled in an invasive surveillance phone application called SmartLink, an alternatives-to-detention (ATD) device which requires some individuals who have been released from detention and are in removal proceedings to be "on call" to respond to their assigned ICE officer's inquiries regarding their whereabouts. This invades personal privacy and can be re-traumatizing for clients, particularly when they have experienced trafficking, domestic violence, or other kinds of abuse. These virtual surveilling devices have a track record of harming individuals’ physical and mental health, of carrying a heavy social stigma, and being assigned disproportionately to people of color, among other issues. Other people leaving detention are required to wear ankle monitors, another ATD device, can also be emotionally and physically harmful.

In response to the harms caused by these ATD devices, we are working with a team of MPN volunteers, comprised of a mental health expert, a licensed physician and a medical student, to develop a template advocacy letter about the harmful effects these devices have on physical and mental health, especially for people who have already experienced trauma. Once completed, the advocacy letter will hopefully serve two purposes, to support MPN advocacy in response to immigration providers’ requests to have their clients removed from ATD programs, and to influence ICE and federal policies regarding this issue.
Medical student volunteers have become an integral part of the network’s efforts to advocate for the release of critically ill and at-risk immigrants from detention facilities and jails. With the support of medical students, complex demands with tight deadlines can be met. With each case, medical students are connected with a licensed physician who provides mentorship and guidance throughout the case process. This collaborative team model is integral to advancing our work and has allowed fruitful connections to be made between students and doctors.

We are thankful for everyone who has supported medical advocacy and taken the time out of their busy educational and clinical schedules to advocate for people in immigration detention.

The Importance of Medical Student Volunteers in the Network

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Interested in Joining the Network?

We are always looking for motivated, passionate and dedicated volunteers to join the network. If you are interested in joining the network, please email Mia Soto, Health Justice Community Organizer at msoto@nylpi.org.

Advancing the Network and Strategizing Growth

NYLPI and the MPN are committed to improving our work and advancing immigrant and health justice. As such, the MPN’s Steering Committee, whose members are critical to leading this work, has been actively planning for future growth. The Steering Committee is currently comprised of 4 healthcare providers and 1 advocate who are also members of the network. The committee members provide the necessary leadership and oversight that is essential to both advancing the efforts to reform the immigration detention system as well as to grow the network’s volunteer capacity.

We are excited to report that we are recruiting additional healthcare and community advocates to join our Steering Committee!

Arianne Felicitas, MD Candidate

Arianne is a third-year medical student at Texas College of Osteopathic Medicine and avid member of the network since June. She recently joined the MPN’s Medical Student Engagement & Recruitment Sub-Committee, towards improving the role of medical students in the network.

“Like several other students involved in our advocacy network, I first learned about letter writing for detained individuals through a webinar with Dr. Kate Sugarman. As an immigrant, I want to use the privileges and opportunities I have been afforded to advocate for other people who also seek better lives for themselves and for their families. Although medical school can be very busy at times, letter writing is a wonderful extra-curricular activity that strengthens my medical knowledge. To write strong letters, I must make sure I thoroughly read up on the medical issues I will address. I highly encourage other medical students and providers to become involved with social justice causes if they are not already. The ability to utilize the knowledge we spend years learning to advocate for vulnerable populations is a rewarding way to give back to our community.”

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Volunteer Spotlight & Recognition

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NYLPI Resources for Volunteers

NYLPI’s Health Justice team has developed the following resources for the MPN’s volunteers as they engage in medical advocacy and additional efforts to advocate for individuals in immigration detention and in jails. If you are interested in learning more about the following resources or have additional questions you would like us to research, please contact Mia Soto, Health Justice Community Organizer at msoto@nylpi.org.

Recorded Webinar Training on Criminal Proceedings for Medical Providers Network by Neighborhood Defender Service of Harlem

In response to the Covid-19 health crisis, our MPN expanded its work to advocate for the immediate release of people in New York City area jails, who may be at heightened risk for serious health complications should they contract the Coronavirus. NYLPI was joined by Elizabeth Fischer, Esq., Interim Managing Attorney of the Criminal Defense Practice at the Neighborhood Defender Service of Harlem, for a virtual informational training and discussion on how the MPN’s advocacy has a critical role in securing the release of seriously ill and at-risk individuals from NYC jails.

Are you interested in learning more about the criminal legal system and the role of medical advocacy in criminal proceedings? Reach out to Mia Soto, Community Health Justice Organizer at msoto@nylpi.org to get access to our webinar.

Medical Network Activism & Your Right to Protest

Healthcare providers may wish to participate in political activism both in their personal capacities and in their role as physicians. These activities may include joining in-person public protests, rallies or vigils, as well as participating in virtual actions such as phone zaps, providing testimony and other activities. Political protest is a constitutionally protected right, but there may be limitations to those protections. Medical providers may wish to consult with their individual employers before such participation. If you would like information about engaging in protests and other forms of activism as a healthcare provider, please reach out to NYLPI to access our latest MPN Activists Right to Protest Fact Sheet.

Public Speaking & Media Support

Many volunteers in the MPN may also wish to engage in public speaking, media and political advocacy. NYLPI encourages medical network volunteers to consider their ability to become bold advocates and to use the power of the medical profession to seek systemic change. NYLPI welcomes discussions with MPN members about public speaking, media advocacy, and more. If you would like to learn more about media advocacy, please reach out to NYLPI to gain access to our media guides and other onboarding materials.

Upcoming Virtual Training on Media Advocacy for Medical Advocates

December 7, 2021 at 1:00PM via Zoom.

We invite all network members to an interactive virtual training for advocates interested in media advocacy with communications experts and experienced medical advocate, Dr. Nathaniel Kratz. The training will be streamed through Zoom on December 7, 2021, at 1:00PM. The training will be recorded and made available to all network members. Formal webinar invitation to be sent to the network prior to the training date.

Do you have a specific question about media advocacy? If so, please send your question to Mia Soto, Health Justice Community Organizer, at msoto@nylpi.org, or join us, as we answer questions from our volunteers during the Q&A segment on the training.
In Case You Missed it:

End deportations under Title 42:
If Biden cares about structural racism, he must stop misusing this provision now.

Op-ed by MPN Steering Committee Member Dr. Nathaniel Kratz and Others

Dr. Kratz, alongside other healthcare professionals, urges the Biden administration to stop the use of Title 42 to deport migrants under the guise of protecting us from Covid-19.

“We saw the Biden administration continuing anti-Black, anti-immigrant Trump administration policies. We saw them continuing to block asylum-seekers from exercising their fundamental human right to seek safety from persecution. For us, as health-care providers, the continuation of these policies in the name of public health added salt to the wound.”

NYLPI’s Pop-Up Exhibit and Action Campaigns

In October, NYLPI launched our month-long pop-up exhibit, Visions for a Just NYC, which features our Health in Immigration Detention Campaign’s latest call to action. To learn more about our work, please check out our campaign website.

join us in calling federal representatives to demand that ICE and contracting jails and facilities follow and implement the MPN’s and broader medical community’s life-saving public health recommendations and to be held accountable if they continue to be non-compliant. Take action today and help us hold jails and prisons accountable for abysmal health care for immigrants in detention!

About NYLPI

For more than 40 years, NYLPI has been a leading civil rights advocate partnering with communities fighting a legacy of marginalization on the basis of race, immigration status, poverty, neighborhood pollution, and disabilities. NYLPI pioneered the practice of community lawyering in the five boroughs of New York City. These communities shape our priorities, and their struggles for justice demand innovative solutions. Our interdisciplinary teams of advocates use every tool available – community organizing, impact litigation and individual representation, policy advocacy, media, pro bono partnerships, and public education – to solve seemingly intractable problems, develop leaders, and build collective power to achieve justice. We strive to create equal access to health care, achieve equality of opportunity and self-determination for people with disabilities, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for disadvantaged communities.

To learn more about NYLPI, visit www.nylpi.org.