

ICE Significant Incident Report

Submitted Date and Time of Report: 11/26/2018 1152 EST

Incident Date: 11/24/2018	Incident Time: 1805	Incident Location:
ICE Component: Enforcement & Removal Operations	Division: Field Operations Division	Area: Western Operations
Case Number: No Case Involved	Office: WA - FOD SEATTLE - SEA	Lead Agency: B - DHS / ICE
SEN Incident Number: (b)(6); (b)(7)(C)	Initial/Follow-Up: Initial	Event Status: Routine
Related SEN Number:	Related Case Number: -----	SEACATS Number:
Intel Number:	ENFORCE Number:	

(b)(7)(E)

Principal Subject: Person	Last Name: (b)(6); (b)(7)(C)	First Name: (b)(6); (b)(7)(C)	Alien ID: (b)(6); (b)(7)(C)
Date of Birth: (b)(6); (b)(7)(C)	Country of Birth: Russia	Citizenship: Russia	

Narrative

Report Title: ERO Seattle Detainee Death (AMAR)

Pursuant to ICE policy, I am providing notification of the death of an ICE detainee:

(b)(6); (b)(7)(C)

ISSUE:

On November 24, 2018, U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) Seattle reported the death of ICE detainee Mergensana (b)(6); (b)(7)(C) a 40-year-old citizen of Russia (b)(6); (b)(7)(C) at Saint Joseph's Hospital (SJH) in Tacoma, WA. The medical staff pronounced (b)(6); (b)(7)(C) deceased on November 24, 2018, at 6:05 p.m. PST. Medical staff identified the preliminary cause of death as asphyxia caused by hanging from the neck.

Consistent with ICE policy, ERO Seattle notified the U.S. Department of Homeland Security, Office of Inspector General, and the ICE Office of Professional Responsibility via the Joint Intake Center. ERO Seattle also provided telephonic message and email notification to the Embassy of the Russian Federation in Washington, DC, of (b)(6); death who will, in turn, notify (b)(6); next of kin.

All media inquiries will be referred to the ICE Office of Public Affairs.

BACKGROUND:

On December 2, 2017, (b)(6); (b)(7)(C) applied for entry into the United States via the pedestrian

(b)(7)(E)

2019-ICLI-00003 5/33

9/11/2019

lanes at the San Ysidro, CA Port Entry (b)(6); (b)(7)(C) presented his valid Russian passport to the primary inspection Customs & Border Protection Officer (CBPO) (b)(6); (b)(7)(C) U.S. Customs and Border Protection (CBP) determined (b)(6); (b)(7)(C) to be inadmissible and served him a Notice and Order of Expedited Removal, Form I-860 charging inadmissibility pursuant to section 212(a)(7)(A)(i)(I) of the Immigration and Naturalization Act (INA), as amended, as an immigrant without immigrant visa.

On December 6, 2017, CBP transferred (b)(6); (b)(7)(C) to ERO San Diego custody at the San Luis Regional Detention Center.

On December 19, 2017, ERO San Diego transferred (b)(6); (b)(7)(C) to ERO Seattle at the Northwest (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

On February 1, 2018, an immigration judge (IJ) in Tacoma, WA determined the court had no jurisdiction in a custody hearing due to (b)(6); (b)(7)(C) being an arriving alien.

On February 7, 2018, ERO Seattle served (b)(6); (b)(7)(C) Parole Advisal and Scheduling Notification.

On February 26, 2018, ERO Seattle denied (b)(6); (b)(7)(C) parole due to posing a risk of flight.

(b)(6); (b)(7)(C)

On August 22, 2018, (b)(6); (b)(7)(C) declared himself to be on hunger strike and ICE Health Service Corps (IHSC) began monitoring his meals.

On August 25, 2018, (b)(6); (b)(7)(C) declined his ninth consecutive meal and IHSC initiated hunger strike protocols.

On September 6, 2018, IHSC obtained an order to permit involuntary medical monitoring and hydration from a judge with the United States District Court for the Western District of Washington. When presented with the order, (b)(6); (b)(7)(C) began drinking Pedialyte and allowing medical monitoring.

On September 14, 2018, (b)(6); (b)(7)(C) began drinking Boost nutritional shakes and continued to consume Pedialyte, and occasionally ate pieces of fruit.

On September 19, 2018, ERO Seattle scheduled (b)(6); (b)(7)(C) for an escorted commercial removal with his valid Russian passport for October 24, 2018.

By September 26, 2018, (b)(6); (b)(7)(C) regularly consumed liquid nutritional supplements, eating fruit and taking vitamins. He had stopped losing weight and was effectively not on hunger strike. However, (b)(6); (b)(7)(C) demanded to remain in the medical housing unit (MHU), threatening to stop consuming the nutritional supplements and food items if returned to general population. (b)(6); (b)(7)(C) was effectively in administrative/protective custody at this time.

On October 1, 2018, (b)(6); (b)(7)(C) filed an untimely notice of appeal with the Board of Immigration Appeals (BIA). ERO Seattle cancelled (b)(6); (b)(7)(C) scheduled removal.

On October 16, 2018, (b)(6); (b)(7)(C) consumed a full meal and IHSC declared an official end to hunger strike protocols. Although (b)(6); (b)(7)(C) was moved at his request to administrative segregation, he would continue to skip meals. IHSC made nutritional supplements and Pedialyte available to (b)(6); (b)(7)(C) three times daily to promote weight gain.

On October 26, 2018, GEO contract staff found a long rope made of bedding hidden under his mattress. (b)(6); (b)(7)(C) was re-admitted to the MHU on suicide watch as a precaution because they considered this a suicidal gesture, although (b)(6); (b)(7)(C) denied it.

On October 27, 2018, a psychiatrist evaluated (b)(6); (b)(7)(C) and determined there was no suicidal ideation, homicidal ideation, or auditory verbal hallucinations. (b)(6); (b)(7)(C) remained on constant-watch.

On October 29, 2018, (b)(6); (b)(7)(C) was transferred from the MHU to administrative segregation, but he remained on 10-minute irregular mental health observation (MHO) checks.

On November 2, 2018, the BIA dismissed (b)(6); (b)(7)(C) appeal as having been filed untimely.

On November 5, 2018, IHSC removed (b)(6); (b)(7)(C) from MHO checks and released him to NWDC GEO contract staff for a housing determination. (b)(6); (b)(7)(C) requested to remain in administrative segregation and GEO complied with that request.

On November 8, 2018, ERO Seattle re-scheduled (b)(6); (b)(7)(C) removal to Russia for November 28, 2018.

On November 12, 2018, (b)(6); (b)(7)(C) began regularly eating facility provided meals and consumed a complete lunch and dinner.

On November 14, 2018, IHSC discontinued providing (b)(6); (b)(7)(C) Boost and Pedialyte following his consistent consumption of the food on his meal trays. (b)(6); (b)(7)(C) also expressed his desire to leave administrative segregation and return to general population.

On November 15, 2018, at approximately 3:06 p.m. PST, during a health and welfare check, GEO contract staff discovered (b)(6); hanging from a noose made of bed sheets in his cell in the restricted housing unit. GEO contract staff initiated an Incident Management System (IMS) and loosened the noose around (b)(6); neck. Staff used a life knife to cut (b)(6); down, and placed him on the floor.

At approximately 3:08 p.m. PST, IHSC arrived and began administering cardiopulmonary resuscitation (CPR) to (b)(6);.

At approximately 3:10 p.m. PST, IHSC contacted emergency medical service (EMS).

At approximately 3:16 p.m. PST, EMS from Tacoma Fire and Rescue arrived on scene and took over the administration of CPR. GEO contract staff notified ERO Seattle that an IMS had been called after detainee (b)(6); was discovered attempting self-harm by strangulation.

At approximately 3:29 p.m. PST, EMS reported that (b)(6); had a pulse.

At approximately 3:34 p.m. PST, EMS departed NWDC and transported (b)(6); (b)(7)(C) to Saint Joseph's Hospital in Tacoma, WA.

At approximately 3:36 p.m. PST, (b)(6); (b)(7)(C) arrived at Saint Joseph's Hospital.

At approximately 3:42 p.m. PST, ERO Seattle notified ERO HQ Field Operations of (b)(6); (b)(7)(C) suicide attempt.

At approximately 5:31 p.m. PST, Saint Joseph's Hospital admitted (b)(6);. IHSC notified ERO Seattle that staff at St. Joseph's Hospital reported (b)(6); was non-responsive, had an anoxic brain injury, possible spinal cord injury, and no apparent brain activity.

At approximately 6:03 p.m. PST, ERO Seattle notified the Joint Intake Center of (b)(6); (b)(7)(C) suicide attempt.

At approximately 7:58 p.m. PST, IHSC notified ERO Seattle that staff at St. Joseph's Hospital reported (b)(6); continued to be non-responsive with no brain activity, no corneal response, and had been intubated and moved to the intensive care unit (ICU).

On November 16, 2018, throughout the day, ERO Seattle attempted to identify a next of kin and made efforts to notify the embassy of Russia in Washington, DC without success.

At approximately 6:45 a.m. PST, IHSC notified ERO Seattle that (b)(6); (b)(7)(C) status remained unchanged and he was on full life support.

At approximately 2:00 p.m. PST, hospital staff conducted a neurology consult with electroencephalography (EEG).

On November 17, 2018, IHSC notified ERO Seattle that the results of the EEG r showed no brain activity. The St. Joseph's Hospital Ethics Committee reviewed the case and recommended that (b)(6); be considered a do not resuscitate (DNR) case in the event of sudden cardiac arrest. The committee continued to monitor the case for future recommendations on withdrawal of care.

On November 18, 2018, hospital staff conducted a cerebral blood flow study on (b)(6);. The results showed no flow to the brain. All testing indicated brain death, so the hospital declared (b)(6); brain dead at 2:45 p.m. PST and notified ICE that they intended to turn off life support unless next-of-kin could be located, and they request otherwise. Hospital staff granted ERO Seattle additional time to locate next of kin.

On November 19, 2018, the HQERO International Operations Division Assistant Attaché for Removal in Warsaw, Poland provided contact information for (b)(6); parents in Russia.

On November 20, 2018, HQERO Removal and International Operations Division advised ERO Seattle that the Russian embassy had contacted the next-of-kin in Russia and that the next of kin were in contact with the hospital concerning the decision to keep or remove (b)(6); (b)(7)(C) from life support.

From November 20, 2018 through November 24, 2018, the hospital staff had multiple conversations with the parents of (b)(6); (b)(7)(C) who, in the afternoon of November 24, 2018, decided to remove life support.

On November 24, 2018, at approximately 6:00 p.m. PST, hospital staff removed all life support from (b)(6);.

At approximately 6:05 p.m. PST, hospital staff pronounced (b)(6); cardiac death.

At approximately 6:30 p.m. PST, IHSC notified ERO Seattle of (b)(6); passing.

At approximately 6:31 p.m. PST, ERO Seattle notified ERO Headquarters of (b)(6); death.

On November 25, 2018, at 9:30 a.m. PST, ERO Seattle telephonically notified the Joint Intake Center and the Office of Professional Responsibility duty agent of (b)(6); death.

At approximately 10:15 a.m. and 10:20 a.m. PST, ERO Seattle attempted to contact the Embassy of the Russian Federation in Washington, DC, via telephone to provide

notification of (b)(6); (b)(7)(C) death.

At approximately 10:51 a.m. PST, ERO Seattle emailed Vice-Consul (b)(6); (b)(7)(C) and provided notification of (b)(6); death. ERO Seattle will continue to attempt personal communication with embassy staff.

(b)(6); is the second detainee to pass away in ICE custody in fiscal year 2019.

Violations of Law:

Action Taken:

Other Agencies Notified:

Name	Agency	Phone	Date	Time
none				

Injuries:	Injuries (Names and Extent of
Fatalities:	Injury):
Damage:	
Unaccompanied	
Child Count:	

Locations:

Type	Address	City	State	Zip
Other	St. Joseph Medical Center 1717 S. J St.	Tacoma	Washington	98405

Reported to ICE Operations Center via Phone:

Public Affairs Notified: Yes**Officer Notified:** (b)(6); (b)(7)(C)**Date:** 11/25/2018**Time:** 0714**Comments:**

Reported By: (b)(6); (b)(7)(C)**Phone:** 253-779 (b)(6); (b)(7)(C)**Cell/Pager:** 206-78 (b)(6); (b)(7)(C)**Supervisor:****Phone:** 253-779 (b)(6); (b)(7)(C)**Cell/Pager:** 801-47 (b)(6); (b)(7)(C)

ICE Significant Incident Report

Submitted Date and Time of Report: 11/30/2018 1148 EST

Incident Date: 11/30/2018	Incident Time: 0840	Incident Location:
ICE Component: Enforcement & Removal Operations	Division: Field Operations Division	Area: Western Operations
Case Number: Pending	Office: WA - FOD SEATTLE - SEA	Lead Agency: B - DHS / ICE
SEN Incident Number: (b)(6); (b)(7)(C)	Initial/Follow-Up: Initial	Event Status: Routine
Related SEN Number:	Related Case Number: -----	SEACATS Number:
Intel Number:	ENFORCE Number:	

(b)(7)(E)

Principal Subject: Person
Date of Birth: (b)(6);

Last Name: (b)(6); (b)(7)(C)
Country of Birth: Honduras

First Name: (b)(6);
Citizenship: Honduras

Alien ID: (b)(6);

Narrative

Report Title: High Profile Removal (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) is a 37-year-old male, native and citizen of Honduras. The Office of Domestic Operations-West (Los Angeles & Seattle) HQ-Enforcement and Removal Operations designate (b)(6); a High Profile Removal (HPR) case due to an active warrant out of San Pedro Sula, Cortes, Honduras for Concealment to the Detriment of the Public Administration.

ERO Seattle has scheduled (b)(6); (b)(7)(C) to be removed to Honduras on December 4, 2018.

Immigration and Criminal Histories:

On July 03, 2001, U.S. Border Patrol at Eagle Pass TX encountered (b)(6); (b)(7)(C) attempting to illegally enter the United States. U.S. Border Patrol issued (b)(6); a Notice to Appear (Form I-862) charging inadmissibility under section 212(a)(6)(A)(i) as an alien present in the U.S. without being admitted or paroled.

On September 07, 2001, an immigration judge (IJ) in Dallas, TX ordered (b)(6); (b)(7)(C) removed to Honduras.

On October 04, 2001, the former Immigration and Naturalization Service (INS) in Dallas,

(b)(7)(E)

2019-ICLI-00003 5737

9/11/2019