

Advocates: Man Sterilized in ICE Detainment Deported to Guatemala



by [Tina Vasquez](#), Immigration Reporting Fellow, RH Reality Check
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Advocates said in a press statement that jail staff locked Rosa in a cell with exposed sewage and prevented him from showering. Rosa soon developed a testicular infection, they added. ([Mark Van Scyoc / Shutterstock.com](#))

A 55-year-old was deported a day after immigrant rights advocates filed a complaint on his behalf with the U.S. Department of Homeland Security (DHS) for the “severe medical abuse” he had suffered.

Angel Rosa, a grandfather of six, in 2012 was detained by U.S. Immigration and Customs Enforcement (ICE) for more than two years at the Utah County Jail, one of the nation’s jails contracted by ICE to oversee the detention of immigrants. Many of these facilities have become [notorious for accusations of human rights abuses](#), including severe medical neglect. Advocates said in a press statement that jail staff locked Rosa in a cell with exposed sewage and prevented him from showering. Rosa soon developed a testicular infection, they added.

ICE officials, according to the press statement and [an online petition](#), denied Rosa medical care until the infection spread, causing his rectum to swell shut, resulting in an intestinal infection. When Rosa was finally allowed to see a doctor, advocates explained, he was transferred to a hospital where he was told he would likely need surgical castration. After the hospital visit, ICE released Rosa from detention and in the years since, he has experienced recurring infections and was left sterilized.

On the morning of January 15, ICE agents raided Rosa's home and detained him at the same facility—Utah County Jail—where he reportedly experienced medical neglect. Thomas Rome, managing attorney at the Thomas Rome Law Group, one of the organizations that filed the claim on Rosa's behalf, told *RH Reality Check* that Rosa was picked up by ICE again because of a misunderstanding related to his reporting requirements.

“People who are released from detention are released from physical custody, but remain legally under ICE custody in what’s called supervision or ‘supervised release.’ It’s like a kind of probation,” Rome said. “For Mr. Rosa, there were parallel requirements for reporting to different bodies and he believed he had complied with both sides of his order by reporting to one of the bodies; he didn’t report to the other. ICE came down on him very hard and put him back in physical custody with the allegation that he had neglected his reporting responsibilities. He was detained even though he is not a person who was on the run. He was not a flight risk. He was very ill to begin with, being taken care of by his young daughter and family. So it was particularly distressing to know they [ICE] would do this.”

The National Day Laborer Organizing Network (NDLON), Community Initiatives for Visiting Immigrants in Confinement (CIVIC), and attorneys at the Thomas Rome Law Group filed the complaint with DHS on Rosa's behalf with the hope that a stay of removal would be issued.

Rome said it would be “impossible” for the agency to investigate a complaint if the person in question was deported. Rome was hopeful that Rosa would not be deported because, he explained, the typical response to a claim of this nature is for the agency to issue a stay of removal pending the investigation.

NDLON told *RH Reality Check* that it appears Rosa was deported in the early morning hours on Tuesday. Neither his family nor the advocates working on his behalf could obtain information from ICE on Rosa's location. ICE told those advocates and family members that its refusal to release information on his whereabouts was for "operational and security reasons."

A source at NDLON, who asked that their name not be used, received an email on Thursday confirming that DHS' Office for Civil Rights and Civil Liberties (CRCL) had received the complaint filed on Rosa's behalf. CRCL outlined how the investigation would take shape, saying, "Initially, we will send your complaint to the DHS Office of Inspector General (OIG) for review. If OIG declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome of the investigation."

It is unclear how long the investigative process would take, but Rome says Rosa should have been allowed to remain in the United States as his claim was being investigated. He was instead deported to Guatemala. CRCL's letter issued the reminder to NDLON that the complaint process "does not provide individuals with legal rights or remedies."

Thanks to an [online petition](#) circulated by NDLON, Rosa's story has gained national attention, with people taking to social media to discuss Rosa's case using the #SterilizedByICE hashtag.

Rome told *RH Reality Check* that the visibility of this case is critical.

"There are systemic ills in our immigration detention system, there's no question, and we're not saying what happened to Mr. Rosa is an everyday occurrence, but it is a particularly troubling example of what goes wrong," he said. "This is a matter of accountability. The Department of Homeland Security claims to have a fair and humane system for immigrant detainees. At the very least, the system is supposed to be safe for detainees before their cases are decided on or before they are removed or released. Someone has to be accountable for what happened to Mr. Rosa. No one going into jail should come out the way he did."