

STATEMENT OF ABDIKADIR ABDULAHI MOHAMED*
Before the House Committee on the Judiciary:
Subcommittee on Immigration and Citizenship
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Thank you very much, Chairwoman Zoe Lofgren and Vice Chairwoman Pramila Jayapal, for holding this hearing and for allowing me to share my story.

My name is Abdikadir Abdulahi Mohamed. Everyone calls me Abdi. I landed at JFK international airport on December 13, 2017 as a healthy 30-year-old dad, ready to build my life with my family. Seventeen months later, due to the Department of Homeland Security's overreach and complete medical neglect, I left a privately-operated immigration detention center in Elizabeth, New Jersey, having missed the birth of my second daughter, Suheyba, and having developed a dangerous life-threatening disease which will reverberate for the rest of my life.

I should never have been detained in the first place. The immigration judge should have released me. But she was legally forbidden from even considering that as an option. Because ICE jailed me in terrible conditions and denied me necessary treatment, I developed active tuberculosis ("TB"). My only option was to ask ICE, my jailer, to release me. They repeatedly denied my requests without explanation, no matter how sick I became.

I am a Muslim man from Somalia. In 2010, I was forced to leave my family and fled to South Africa. While an asylum seeker in South Africa, my life was very hard. I faced the constant threat of xenophobic violence targeting Somalis. I lost many friends to senseless killings. However, it was during my time in South Africa that I met my beautiful wife Malyuun online. She is a U.S. citizen from Somalia. She brightened each day for me and continues to be my guiding light.

We were married in South Africa in May 2016 and, shortly after, she became pregnant with our first child, Suheila. The following month, we started the process of reuniting our family. Malyuun petitioned for me to move to the United States permanently as a green card holder to live with them. I was finally issued an immigrant visa in November 2017. In December I boarded a plane to finally join my pregnant wife and daughter. I was so excited during the flight – I had never been on a plane before. I could not wait to begin my new life with Malyuun, Suheila and our second baby on the way. Upon arrival in the U.S., my visa was stamped "Admitted-NYC" and at that point, I thought I was a lawful permanent resident.

My dream of reuniting with my family was crushed that day at that airport and quickly became a nightmare. An officer from a secretive branch of CBP called the Tactical Terrorism Response Team intercepted me on my way to my connecting flight. He approached and asked me if I was "from Mogadishu," the capital of Somalia, pulled me into an interview room, and interrogated me for 15 hours without a Somali interpreter, even though I asked for one repeatedly. At one point during the interrogation, the CBP officers even tried to deport me, telling me that they would send me back to Somalia. Finally, because I was afraid to return to Somalia, I was not deported. Instead, I was shackled and transferred to an ICE processing center and then the Elizabeth Detention Center ("EDC"). Core Civic, a private for-profit prison company operates the facility.

Even though I came here with my green card, the government classified me as someone who didn't have immigration status. I was forced to ask for asylum. Because I was classified as an asylum seeker encountered at the border, I was legally not even able to ask a judge to set bond in my case.

The only way I could request release was through the "humanitarian parole" process. In this process you ask ICE itself to let you out. I made this request three different times. I provided them with many pages of evidence in support of my requests. It didn't matter; my requests were denied every time. The first time I was just given a standard form with boxes checked denying the request. My second request was also denied. ICE, again, didn't follow its own rules in making its decision – I was never provided an interpreter or interviewed. I got a similar denial form. A federal court has recognized that the way parole applications are being processed violates even the minimal standards that ICE has set for itself and has ordered it to change its procedures.

This didn't matter. After I developed a life-threatening disease, I again asked for parole, this time with the support of two independent doctors who assessed my condition and found that I had developed TB while detained at EDC and was being inadequately treated. ICE still denied my application without considering the required criteria.

So, I remained jailed for 17 months while was forced to fight my legal case while incarcerated. When I arrived in December 2017, I was healthy. I have always been an active person and was used to working long hours and playing sports. A few days after I arrived at EDC I was sent to the hospital because I had a positive PPD test, indicating exposure to TB. My chest x-ray was normal and I was sent back to EDC. I asked the medical unit at EDC why I went to the hospital. When they told me it was to check for TB, I asked them what the results of the test were. They snickered and said if I had had TB they would not have brought me back to the jail. I thought everything was fine.

I now know that the Centers for Disease Control and Prevention ("CDC") recommends providing treatment to someone who has a positive PPD and a normal x-ray when they come from countries like Somalia, with high rates of tuberculosis. This treatment is to prevent active tuberculosis from developing. Being in jail also increases the risk of developing active tuberculosis. The crowding and poor air circulation make it easy for the disease to spread. I knew none of this at that time.

Despite the CDC protocol, ICE and Core Civic failed to provide me with the prescribed treatment. They also chose to keep me in jail despite the grave risks to me and everyone else in the detention center. They held me in a small open-air dormitory room with 44 other men at the EDC. There were no windows; the ventilation system was very poor. The beds were very close together. There were only a few bathrooms which were very dirty. The dorm walls were dirty and paint was falling from the walls. The drinking water didn't taste right and some of the Core Civic guards even told us not to drink too much of the water. They all drank bottled water.

Starting around June 2018, I started to feel ill and began losing weight. I soon started feeling fatigued while exercising and had terrible pain in my right rib area. At this point I started going to the medical unit more often. I had never felt anything like this before and it concerned me. I stopped exercising altogether and by August I was having trouble breathing. The pain in my lungs

and on my right side was worsening. I got really scared. By October, the pain was unbearable and I started getting feverish. I frequently asked to see a doctor, but I was only seen by a nurse that month. I told the nurse about my pain and concerns about a possible infection. She said I did not need antibiotics. I was not given a chest x-ray. My concerns were blown off. I was only given Tylenol despite my severe pain.

By November 2017, I was feeling much worse. In addition to the constant pain in my right side, I was also coughing a lot. Despite falling increasingly ill, the medical staff seemed uninterested in my condition. I was gravely ill for 10 days before eventually being taken to the hospital. In those 10 days I was in agonizing pain. I had chills, a fever and used three blankets at night to stay warm. When I was finally seen by a nurse practitioner on November 8, 2018, I had not eaten and had difficulty getting out of bed for days because I was simply too weak. I had a fever and my heart rate was faster than normal. I thought I was dying and I was afraid I would never see my family again. Despite my symptoms and desperate pleas to the medical staff, they continued to prescribe Tylenol. On the few occasions when I was able to see a doctor, he always downplayed my condition. Neither he nor I spoke English very well so it was very difficult to communicate. At no time during my medical treatment at EDC was I offered the assistance of a Somali language interpreter, even though I asked for one repeatedly. They always told me that because I spoke some English I didn't need an interpreter.

When I could not get out of bed any longer they finally took me to the hospital. I spent 11 days there. During that time I never understood what was wrong with me. Even the hospital never provided me with an interpreter. They drained my lungs multiple times, which was incredibly uncomfortable and painful. It was even more uncomfortable because I was shackled, often by three limbs, to the bed, with guards stationed at all times outside my door. Being shackled to the bed was dehumanizing, especially given my excruciating pain. It was almost unbearable.

To add further agony and stress to the already scary experience, I was not allowed to communicate with the outside world from the hospital. My attorneys only discovered I was in the hospital when they appeared for a court date and I was not there. Malyuun was worried sick. My attorneys made repeated daily attempts to get information about my health but their requests were repeatedly rebuffed by ICE. ICE instructed the hospital staff not to talk to anyone, not to share any information and not to let me talk to anyone. After my attorneys' advocacy, after about ten days in the hospital, I was able to briefly speak to my wife one time. My legal team and family were explicitly warned not to visit me while in the hospital multiple times.

Imagine being shackled to a hospital bed, having your lungs drained, not really understanding what is going on, feeling like you may die, and not being able to talk to your wife. After 11 days in the hospital, I was transferred back to EDC. There, the unrelenting neglect and indifference to my needs continued to threaten my life. Because I had no interpreter at the hospital, I had no way of knowing that the medication which had been prescribed to me could have caused major liver damage and other life-threatening consequences. I was so uninformed about my own health that I wasn't even told that I actually had TB until about a month after I was released from the hospital.

I now know that the hospital provided the detention facility with strict instructions for my continued care and treatment. The EDC medical staff failed to follow the hospital's orders nearly

every step of the way. They did not regularly monitor my blood, despite the hospital orders to closely monitor my liver. The hospital also prescribed a detailed six-month treatment regimen for TB. At one point the medical staff at EDC took me off my medicine for 3 days, which I later learned could have had life-threatening consequences. Any disruption in TB treatment could have led to drug-resistance.

My entire illness could have totally been avoided if I had not been detained in the first place, or if I had a chance to ask for bond or release from a judge. I also believe I would not have gotten so sick if there had been stronger standards governing the medical care in the jail. Unfortunately, it seemed EDC and Core Civic had no real procedures in place, which resulted in my developing a dangerous illness that could have harmed others. After all, this entire situation would have been completely avoided if ICE and Core Civic had followed the CDC protocol when I initially entered the facility.

On July 2nd, 2019, after nearly 17 months in detention, I was finally granted asylum and released. I am now finally living happily with my wife, Malyuun, and our children in Columbus, Ohio, as I intended to do nearly two years ago. It has been incredible to reunite with my wife and daughters. Malyuun and I are expecting our third child in April. I am taking various classes so that I can get a good job to support my family. The doctors say I am clear from TB but I still have lingering pain. I still cannot sleep on my right side. They have said that due to the delays in treatment, I may suffer from chronic pain and other long-term consequences for the rest of my life.

Please, I call on you all to adopt the Dignity for Detained Immigrants Act. This Act will ensure that all immigrants in detention are considered for release or bond within days of their detention. This ensures that a judge can review these determinations. These are important rights for all immigrants. This Act will also help ensure that individuals who are detained and fall ill will receive the care they need. We need national standards to make sure people are properly treated.

If this Act would have been in place when I was in detention I likely would have been released, would not have been subjected to the conditions that led to my development of TB and would not have missed Suheyba's birth. Please, I ask you to create a system of accountability for these detention centers. Private facilities like those run by Core Civic must be eliminated. I am writing not only for myself, but for the thousands of others who remain detained today and do not have a voice or cannot find the strength to share their pain. Many of them were my friends at EDC. I ask you to pass this bill for them.

I am a believer that something good comes from every struggle. All of my pain and suffering would be for nothing if I do not take this opportunity to tell my story and make sure that no one else is treated like I was. No person should be detained without a meaningful right to ask for release. No person should be denied access to basic health care. No family should have to suffer like mine did. What I am asking for is nothing more than basic human rights and dignity for immigrants, who are people just like you.

I want to end by thanking the countless people who supported me and my case. Thank you to my legal team – the students and attorneys from the City University of New York School of Law's CLEAR Project and the Immigrant and Non-Citizen Rights Clinic. Thank you to Congresswoman

Ilhan Omar's office for its diligent efforts to advocate for my release; and to the good people at the Black Alliance for Just Immigration, Color of Change, Families for Freedom, Freedom to Thrive, and UndocuBlack for organizing and advocating on my behalf. Thank you also to Congresswoman Joyce Beatty's office. Just as importantly, thank you to the nearly 20,000 individuals who signed petitions and made calls to ICE asking for my release.

Thank you again for allowing me to share my story. I hope you will take it into consideration as you push forward to pass this desperately needed legislation.

*I hereby confirm that the above statement was conveyed in the Somali language and that it is true and correct to the best of my knowledge and belief.