

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Janet Malam,

Petitioner-Plaintiff,

Civil No. 20-10829

v.

Honorable Judith E. Levy  
Mag. Judge Anthony P. Patti

Rebecca Adducci, et al.,

Respondents-Defendants.

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**MEMORANDUM REGARDING HIGH-RISK DETAINEES**

Pursuant to the Court's order (ECF No. 359), Defendants submit a memorandum to detail what precautions are being put in place at Calhoun for high-risk detainees. As noted at the hearing on October 26, 2020, ICE receives a weekly chronic care list from Calhoun that details any detainee with a chronic medical condition. For those that have conditions recognized by the CDC as placing them at higher risk of a poor outcome from COVID-19, ICE conducts a review to determine if they are suitable for discretionary release. The review process was in place before the recent outbreak in Pod H. ICE also agrees that those individuals are high-risk, and thus, within the subclass, and reports those names to Plaintiffs, along with the chronic care report, on a weekly basis. ICE also responds to informal requests from Plaintiffs to recognize a detainee as high-risk based on

additional medical information provided by the Plaintiffs.

Calhoun will recognize those that ICE concedes are within the subclass as high-risk. (Hazel, Ex. 1, ¶¶ 2-3). ICE relayed the list of detainees that ICE has already identified as high-risk to Calhoun. *Id.* at ¶ 2. ICE will also include Calhoun in its weekly reporting to Plaintiffs. *Id.* at ¶ 3. ICE will also inform Calhoun of any detainees it agrees are within the subclass based on a request from Plaintiffs, or as ruled on by the Court.

In addition to all of the precautions in place at Calhoun to protect all detainees and inmates from exposure to COVID-19 already in the record, Calhoun has also implemented additional precautions for those that ICE concedes are high-risk. High-risk detainees, to the extent possible, will be detained in a separate housing unit that permits each detainee to have their own cell. *Id.* at ¶ 3. Where a detainee cannot be housed in the designated housing unit, they will be housed in a single cell in another unit. *Id.* at ¶ 4. All high-risk detainees will be tested for COVID-19 every two weeks, beginning on October 27, 2020. *Id.* at ¶ 8. Further, all detainees and inmates in the facility, including high-risk detainees, will be required to wear a mask in common areas. *Id.* at ¶ 5. This mandate will be enforced with progressive discipline in the same manner as other infractions. Masks will be replaced daily for high-risk detainees. *Id.* at ¶ 7. Staff are also required to wear masks at all times in all housing units and violations are enforced. *Id.* at ¶ 6.

Defendants will provide information on any further measures currently under consideration in its response to Plaintiffs' motion. *See* Order, ECF No. 359.

By: /s/ Jennifer L. Newby

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Dated: October 27, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2020, the foregoing paper was filed under seal with the Clerk of the Court using the ECF System. I also sent a copy of the sealed exhibit to counsel of record via electronic mail.

/s/ Jennifer L. Newby