

# Torture and enforced disappearances in the Sunshine State: Human rights violations at “Alligator Alcatraz” and Krome in Florida

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## I. Executive summary

This report presents Amnesty International’s findings from a research trip to southern Florida in September 2025, to document the human rights impacts of federal and state migration and asylum policies on mass detention and deportation, access to due process, and detention conditions since President Trump took office on 20 January 2025. In particular, it focuses on detention conditions at the Krome North Service Processing Center (Krome) and the Everglades Detention Facility, also known as “Alligator Alcatraz”.<sup>1</sup> Amnesty International visited Krome on 25 September 2025. The organization also requested access to “Alligator Alcatraz”, receiving no response from Florida authorities, and to the Glades County Detention Center, which U.S. Immigration and Customs Enforcement (ICE) denied.

Amnesty International’s research demonstrates that the State of Florida’s anti-migrant and anti-asylum policies, combined with a sharp escalation in immigration enforcement actions, are instilling widespread fear in migrant, asylum seeker and mixed-status communities. The increasing entanglement of state and local authorities in federal immigration enforcement through 287(g) agreements has led to an expansion of the system of mass arbitrary detention of asylum seekers and migrants, in violation of the United States’ international human rights obligations. Under these policies and agreements, the detention of asylum seekers and migrants is the norm, not the exception.

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<sup>1</sup> While “Alligator Alcatraz’s” alliterative nickname and imagery were deliberately crafted by supporters of the mass detention system to make cruelty entertaining, Amnesty International uses the name intentionally and carefully. The organization’s choice is based on consultation with impacted communities in Florida and coalition partners who work directly with detained individuals and their families, who themselves refer to the facility this way. The name has recognition; it is widely understood locally and nationally and allows Amnesty International to communicate clearly and consistently. The organization always refers to it as the “facility known as “Alligator Alcatraz”” or the “so-called “Alligator Alcatraz”” and places it in quotes to make clear that Amnesty International is using the name assigned by others rather than endorsing it.

Krome is an ICE detention facility located in Miami-Dade County on the edge of the Everglades. The day-to-day operations of the facility are currently managed by Akima Global Services, LLC, which has managed the facility for over a decade. Krome operates as both a short-term processing center and a typical detention center for migrants and asylum seekers. This hybrid role has led to an increased number of people held at the facility, resulting in deteriorating detention conditions. For decades, organizations, lawyers and service providers have denounced conditions at Krome, including severe overcrowding, chronic medical neglect tied to multiple deaths in custody, degrading and abusive treatment, and procedural failures that undermine individuals' access to counsel and due process. In 2025, the facility has faced heightened scrutiny after reports of severe overcrowding and several deaths. Amnesty International documented delays in intake procedures, overcrowding in temporary processing areas, inadequate and inaccessible medical care, alarming disciplinary practices including the use of prolonged solitary confinement, and challenges in access to legal representation and due process at Krome.

"Alligator Alcatraz" opened in July 2025 with the capacity to detain around 3,000 people. The facility is located in the Everglades, a fragile ecosystem and one of Florida's most ecologically sensitive areas. "Alligator Alcatraz" is the first state-owned and operated immigration detention facility in the United States. Consequently, not only is there no federal oversight of the facility. It is also not integrated into ICE's systems or databases. The absence of registration or tracking mechanisms for those detained at "Alligator Alcatraz" facilitates incommunicado detention and constitutes enforced disappearances when the whereabouts of a person being detained there is denied to their family, and they are not allowed to contact their lawyer. Individuals detained at the facility face barriers to accessing legal representation and due process protections.

Amnesty International's research concludes that people arbitrarily detained in "Alligator Alcatraz" are being held in inhuman and unsanitary conditions including overflowing toilets with fecal matter seeping into where people are sleeping, limited access to showers, exposure to insects without protective measures, lights on 24 hours a day, poor quality food and water, and lack of privacy. People interviewed shared that access to medical care is inconsistent, inadequate, or denied altogether, placing individuals at serious risk of both physical and mental harm. People reported being always shackled when they were outside their cage. Other treatment people have endured amounts to torture, including being put in the 'box', a 2x2 foot cage-like structure people are put in as punishment – sometimes for hours at a time exposed to the elements with hardly any water – with their feet attached to restraints on the ground.

Amnesty International considers that detention conditions at both facilities amount to cruel, inhuman and degrading treatment. The use of prolonged solitary confinement at Krome and the use of the 'box' at "Alligator Alcatraz" amount to torture or other ill-treatment.

"Alligator Alcatraz" has already absorbed more than \$360 million USD in state-issued contracts and is projected to require approximately \$450 million USD annually to operate once it is fully functional. Funds for its construction and operation have been taken from the Florida Division of Emergency Management (FDEM) at the Governor's discretion, under emergency procurement powers usually reserved for natural disasters. Amnesty International has documented that the Government of Florida cut resources from essential social and emergency management programs while also allocating discretionary funds from FDEM to finance the construction and operation of "Alligator Alcatraz".

Amnesty International also documented the routine and prolonged use of shackles on individuals detained for immigration purposes, both at detention facilities and during transfer between

facilities, which constitutes cruel, inhuman and degrading treatment, and may amount to torture or other ill-treatment.

Taking into consideration Amnesty International's independent findings, the opinions of migrants, asylum seekers and organizations, and the United States' human rights obligations under international law, at the end of this report, Amnesty International makes a series of recommendations to the governments of the State of Florida and the United States. The organization calls on both governments to address systemic human rights violations within immigration detention facilities. The organization further calls on the Government of Florida to close "Alligator Alcatraz", to prohibit the use of any state-run immigration detention facility, to end the misuse of emergency powers, halt all no-bid procurement, and redirect detention funding toward essential healthcare, housing, and disaster-relief programs. Amnesty International calls on the Government of the United States to end its cruel mass immigration detention and deportation machine, stop the criminalization of migration, bar the use of state-owned facilities for immigration custody detention, ensure thorough investigations into all deaths, abuses, and allegations of torture in custody, and comply with international human rights law and standards.

## II. Introduction and Methodology

This report presents Amnesty International's findings from a research trip to southern Florida in September 2025, to document the human rights impacts of federal and state migration and asylum policies on mass detention and deportation, access to due process, and detention conditions since President Trump took office on 20 January 2025.<sup>2</sup> In particular, it focuses on the situation in Florida for migrants and asylum seekers, and detention conditions at the Krome North Service Processing Center (Krome) and the Everglades Detention Facility, also known as "Alligator Alcatraz".

During the trip to southern Florida, Amnesty International visited the Krome North Service Processing Center (Krome), where asylum seekers and migrants are detained. The organization was given a tour of the facility during which time researchers had an opportunity to pose questions to U.S. Immigration and Customs Enforcement (ICE) officials. Amnesty International also interviewed four men detained at Krome, two of whom were from Cuba, one from Chile and one from Venezuela.<sup>3</sup> Two of them had pending asylum claims, while the other two had immigrated to the United States. All four had previously been detained at "Alligator Alcatraz". Florida-based organizations provided Amnesty International with their names, and ICE granted the organization's request to interview them during its visit to Krome. Amnesty International also asked ICE officials to circulate a sign-up sheet within the detention center prior to its visit so that interested individuals could sign up to speak with researchers, however, ICE denied this request.

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<sup>2</sup> The findings and observations included in this report are based on the information that Amnesty International received from migrants, people seeking safety, service providers and government officials during its visit to Miami, Florida, from 21-26 September 2025. It is not an exhaustive analysis of the issues presented in the report. This report does not provide detailed information about mass immigration arrests and detentions in the United States, nor an analysis of the discriminatory impacts of these measures. The cumulative effects and harms of the Trump administration's punitive and discriminatory immigration and asylum measures are the subject of Amnesty International's ongoing monitoring and analysis of the situation in the United States. Amnesty International, *Dehumanized by Design: Human Rights Violations in El Paso* (Index: AMR 51/9386/2025) 22 May 2025, <https://www.amnesty.org/en/documents/amr51/9386/2025/en/>; Amnesty International, *Americas: Enforced disappearances in limbo: the human cost of repressive cooperation between the US and El Salvador* (Index: AMR 01/9259/2025), 14 April 2025, <https://www.amnesty.org/en/documents/amr01/9259/2025/en/>; Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency," 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Amnesty International, *Lives in Limbo: Devastating Impacts of Trump's Migration and Asylum Policies* (Index: AMR 51/9029/2025) 20 February 2025, <https://www.amnesty.org/en/documents/amr51/9029/2025/en/>.

<sup>3</sup> Amnesty International has decided not to include the names of the four men interviewed in this report.

During its visit to Florida, Amnesty International met with local organizations and service providers, and attended the Circle of Protection<sup>4</sup> held outside of the ICE Field Office in Miramar, Florida where it interviewed a Venezuelan asylum seeker. Amnesty International also interviewed organizations operating in the Miami area, including Americans for Immigrant Justice (AIJ), American Friends Service Committee (AFSC), Florida Immigrant Coalition (FLIC) and Sanctuary of the South (SOS). The interviews with Spanish-language speakers were conducted in Spanish.

Amnesty International requested access to “Alligator Alcatraz” but never received a response from Florida authorities. The organization also requested access to the Glades County Detention Center, but ICE denied this request.

As part of this research, Amnesty International evaluated the potential budgetary impacts of “Alligator Alcatraz”, as it is directly financed by the state of Florida. This involved calculating the opportunity costs (which refers to the value of the next best alternative use of public funds that is forgone when a government chooses to spend money on one project instead of another) of financing “Alligator Alcatraz” by situating the detention facility within the broader structure of Florida’s 2025-26 fiscal year budget. The investigation focused on three complementary components to assess how the financing of the detention center fits within Florida’s broader fiscal choices: (1) structural budget cuts: a comparison of budget lines between fiscal years 2024-2025 and 2025-2026 to identify permanent, lasting budget reductions, excluding one-time or temporary funds; (2) State Government 2025 vetoes: an analysis of initiatives that passed the legislature but were vetoed and did not take effect; and, (3) procurement contracts: a review of all the contracts in the procurement process, validated by timing, issuer and scope, which were then grouped into categories of state procurement spending to show the types of services being purchased. The data for this analysis came from the Transparency Florida portal, the Governor’s veto list for FY 2025–26, the Budget Analysis view of Transparency Florida, and the Florida Accountability Contract Tracking System (FACTS).<sup>5</sup>

Amnesty International provided ICE, the Government of Florida and the Florida Division of Emergency Management (FDEM) with an opportunity to respond to the findings of this research. Only ICE provided a response, which has been incorporated into this report. The organization also provided Akima Global Services, LLC (Akima) – the company contracted by the U.S. Department of Homeland Security (DHS) to manage Krome – an opportunity to respond to the findings of this research. Amnesty International did not receive a response from Akima.

Amnesty International would like to express its utmost gratitude and thanks to the four men who spoke to the organization as part of this research. At the time of the interviews they were all in detention at Krome in difficult situations yet took the time to entrust their testimonies to the organization. Amnesty International would also like to thank the organizations and the people who met with Amnesty International virtually and in person. Amnesty International commends them for their important work in protecting the human rights of migrants, asylum seekers and refugees in the United States.

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<sup>4</sup> The Miramar Circle of Protection is a weekly gathering of migrant rights organizations outside the ICE-ERO Center Miramar (in Miramar, Florida) providing support and resources to people navigating the immigration system. Miramar Circle of Protection, <https://www.facebook.com/CircleProtection/>; AFSC, “Building community outside an ICE facility”, 6 June 2025, <https://afsc.org/news/building-community-outside-ice-facility>.

<sup>5</sup> Department of Financial Services of the State of Florida, “Local Government reporting”, <https://logerx.myfloridacfo.gov/LogerX/PublicReportsMenu> (accessed in October 2025); Executive Office of the Governor Ron DeSantis, “Governor Ron DeSantis Signs Florida Fiscal Year 2025-2026 Budget”, June 30 2025, <https://www.flgov.com/eog/news/press/2025/governor-ron-desantis-signs-florida-fiscal-year-2025-2026-budget>; Florida Department of Financial Services, “Florida Accountability Contract Tracking System”, <https://facts.fldfs.com/Search/ContractSearch.aspx> (accessed in October 2025).

### III. Domestic and international human rights law and standards

#### ▪ Detention of migrants and asylum seekers

While it is generally accepted that States have the prerogative to regulate the entry and stay of non-nationals in their territory, they can only do so within the limits of their human rights and humanitarian obligations. Irregular entry and stay in a country should not be treated as a criminal offence.<sup>6</sup>

The enjoyment of personal liberty should be any individual's default condition.<sup>7</sup> Migrants, refugees and asylum seekers, like anyone else, must benefit from a legal presumption of liberty. This means that their right to liberty can only be restricted in specific and the most exceptional of circumstances.<sup>8</sup> If migrants, refugees, and asylum seekers are subject to any deprivation of liberty, it must be clearly prescribed by law and strictly justified by a legitimate purpose that is necessary, proportionate, and non-discriminatory.<sup>9</sup> Detention without such a purpose will be considered arbitrary.<sup>10</sup> A limited number of specific purposes are recognized as legitimate grounds for the detention of migrants and asylum seekers under international law and standards, including verifying identity and preventing a person from absconding following an objective assessment of flight risk.<sup>11</sup> Detention with indeterminate length is likely to constitute torture or cruel, inhuman, or degrading treatment or punishment.<sup>12</sup> Anyone detained in the course of immigration proceedings must be brought promptly before a judicial authority and they should have regular periodic reviews of their detention to ensure it remains necessary, proportional, lawful and non-arbitrary.<sup>13</sup> Alternatives to detention must be sought to ensure that detention is resorted to as an exceptional measure.<sup>14</sup>

If in the exceptional circumstance that a migrant, refugee or asylum seeker is detained, states have an obligation to ensure that conditions of detention meet international human rights law and standards, notably that the conditions of detention are humane and the human rights of detained individuals are respected.<sup>15</sup> This includes protection against torture, and other cruel, inhuman, or degrading treatment; adequate and suitable food; washing and sanitary facilities; clothing; access to medical care; recreation and exercise; facilities to allow religious practice; and the ability to communicate with the outside world including consulates, lawyers, and family.<sup>16</sup> ICE also has Performance Based National Detention Center Standards (PBNDCS) that require access to legal resources, telephone, clean and secure detention conditions, recreation time, nutritionally balanced meals, and medical care.<sup>17</sup> Poor conditions of detention will constitute torture where they cause severe pain or suffering, and are afflicted upon detained individuals by the authorities for a

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<sup>6</sup> UN Working Group on Arbitrary Detention (UNWGAD), Revised Deliberation No. 5 on deprivation of liberty of migrants, 7 February 2018, [https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/RevisedDeliberation\\_AdvanceEditedVersion.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/RevisedDeliberation_AdvanceEditedVersion.pdf), paras. 9-10.

<sup>7</sup> The right to liberty and the related prohibition of arbitrary detention are enshrined in numerous human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), Article 9(1); Universal Declaration of Human Rights (UDHR); Convention relating to the Status of Refugees (1951 Refugee Convention), Article 31; American Declaration on the Rights and Duties of Man (American Declaration), Article 1.

<sup>8</sup> UNHCR, Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention (Detention Guidelines), 2020, <https://www.unhcr.org/il/wp-content/uploads/sites/6/2020/11/UNHCR-Detention-Guidelines-English.pdf>, Guideline 4.1; IACHR, Inter-American Principles on the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 7 December 2019, <https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf>, Principles 68 & 69.

<sup>9</sup> UNWGAD, Revised Deliberation No. 5 (previously cited), para. 20.

<sup>10</sup> UNHCR, Detention Guidelines (previously cited), Guideline 4.1.4.

<sup>11</sup> UNHCR, Detention Guidelines (previously cited), Guideline 4.1.

<sup>12</sup> IACHR, Inter-American Principles on the Human Rights of all Migrants, Principle 15.

<sup>13</sup> UNWGAD, Revised Deliberation No. 5 (previously cited), para. 13.

<sup>14</sup> UNHCR, Detention Guidelines (previously cited), Guideline 4.3; UNWGAD, Revised Deliberation No. 5 (previously cited), para. 16.

<sup>15</sup> ICCPR, Art. 10(1); American Declaration, Art. XXV; United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-book.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf), Rules 12-35.

<sup>16</sup> Nelson Mandela Rules, Rules 12-49; UNHCR, Detention Guidelines (previously cited), Guideline 8.

<sup>17</sup> U.S. Immigration and Customs Enforcement (ICE), Performance-Based National Detention Standards 2011, Revised December 2016, 2016, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

discriminatory, punitive or coercive purpose.<sup>18</sup> Harmful treatment that falls short of causing severe pain or suffering may still constitute inhuman or degrading treatment or punishment ('other ill-treatment').<sup>19</sup>

Solitary confinement is defined in international standards as 22 hours or more a day without meaningful human contact.<sup>20</sup> It can only be used in exceptional circumstances and its duration must be as short as possible.<sup>21</sup> Prolonged solitary confinement, defined as lasting longer than 15 days, is never permitted as it will amount to torture or cruel, inhuman or degrading treatment or punishment.<sup>22</sup>

- **Collective and summary expulsions of migrants and asylum seekers**

International law and standards prohibit collective and summary expulsions. All deportations must respect due process, which includes an individual assessment of the risks upon return. Due process guarantees also encompass the right to be heard, to translation, to information and the right to appeal.<sup>23</sup> Deportations must be assessed on a case-by-case basis and carried out only in compliance with a decision made by law. Summary deportations and expulsions to other jurisdictions do not comply with due process obligations and deprive individuals of the right to an effective remedy.<sup>24</sup> Likewise, States must refrain from separating families through deportation proceedings.<sup>25</sup>

- **Right to seek asylum and principle of *non-refoulement***

All individuals have the universal human right to seek asylum and should be protected against refoulement to persecution and other serious human rights violations.<sup>26</sup> This principle, known as *non-refoulement*, is an obligation under international human rights, refugee, and humanitarian law, and requires States to refrain from returning, removing or transferring anyone, regardless of their migration status, to any place where there are substantial grounds to believe they would be at risk of persecution or other serious human rights abuses, including torture or cruel, inhuman or degrading treatment or punishment.<sup>27</sup> The principle of *non-refoulement* provides protection rights that are absolute and without exception with regards to risk of torture. In order to fulfill the obligation not to refool individuals, States must have a mechanism with due process protections to assess individuals for this risk. This often coincides with evaluations for recognition of refugee status and protections against refoulement based on refugee rights.<sup>28</sup>

States are also prohibited from using indirect means to carry out refoulement or engage in constructive refoulement. Constructive refoulement tactics may include using indefinite detention,

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<sup>18</sup> Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 1.

<sup>19</sup> Convention against Torture, Article 16; IACHR, Inter-American Principles on the Human Rights of all Migrants, Principle 15.

<sup>20</sup> Nelson Mandela Rules (previously cited), Rule 44.

<sup>21</sup> Nelson Mandela Rules (previously cited), Rule 44; HRC, General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment, para. 6; UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Report, 5 August 2011, UN Doc. A/66/268, para. 75.

<sup>22</sup> Mandela Rules, Rule 44; HRC, General Comment No. 20 (previously cited), para. 6; UN Special Rapporteur on torture, Report, 5 August 2011 (previously cited), para. 76.

<sup>23</sup> IACHR, Inter-American Principles on the Human Rights of all Migrants, Principle 73.

<sup>24</sup> Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives" (previously cited); Human Rights First, "Analysis of the Trump Administration's Initial Immigration Executive Actions," 22 January 2025, <https://humanrightsfirst.org/library/human-rights-first-analysis-of-the-trump-administrations-initial-immigration-executive-actions/>.

<sup>25</sup> IACHR, Inter-American Principles of the Human Rights of all Migrants, Principle 61.

<sup>26</sup> UDHR, Article 14; 1951 Refugee Convention; 1967 Protocol Relating to the Status of Refugees; Cartagena Declaration on Refugees.

<sup>27</sup> 1951 Refugee Convention, Article 33; Convention against Torture, Article 3(1); OHCHR, "The Principle of Non-refoulement Under International Human Rights Law", 5 July 2018, [ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf](https://ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf).

<sup>28</sup> 1951 Refugee Convention, Article 33; UN Committee against Torture (CAT), General Comment No. 4 (2017) on the implementation of article 3 of the Convention in the context of article 22, 4 September 2018, UN Doc. CAT/C/GC/4, para. 13.

refusing to process any claims for asylum, or otherwise making life so difficult that the individuals feel compelled to leave the country, even if it means returning to a situation they fear.

- **Torture and other cruel, inhuman or degrading treatment or punishment**

International law prohibits torture and other cruel, inhuman or degrading treatment or punishment absolutely, in all circumstances and without exception.<sup>29</sup> According to Article 1(1) of the UN Convention against Torture, an act constitutes torture if four elements are present: (1) intention, (2) infliction of severe physical or mental pain or suffering, (3) a purpose such as coercion, intimidation, obtaining information or a confession, or discrimination, and (4) a degree of official involvement.<sup>30</sup> In contrast, cruel, inhuman or degrading treatment or punishment is not defined under international law. In line with the position of many international and regional human rights monitoring bodies, Amnesty International considers that cruel, inhuman or degrading treatment or punishment may be defined negatively in relation to torture in that it lacks one or more of the above-mentioned elements of the torture definition.<sup>31</sup>

The Convention against Torture obliges States to take “effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction”.<sup>32</sup> States also have the obligation to criminalize torture, to investigate allegations of torture and other ill-treatment promptly and impartially, to bring suspected perpetrators to justice, to provide remedies to victims, to train all officials involved in the handling of detained individuals regarding the prohibition of torture and other ill-treatment, to implement safeguards to prevent torture and other ill-treatment, and to refrain from sending or returning (*refouler*) a person to a place where they risk being subjected to torture, ill-treatment or other prohibited treatment.<sup>33</sup>

- **Business responsibility under international law and standards**

Under international law, States have the obligation to respect, protect and fulfil human rights. The UN Guiding Principles on Business and Human Rights (UN Guiding Principles) reiterate that such duty applies in the context of corporate activities.<sup>34</sup> The UN Guiding Principles also establish that all companies, including those operating immigration detention facilities or providing services to them, have their own responsibility to “do no harm” and respect all human rights wherever they operate and throughout their operations. This widely recognized standard of conduct is independent of a State’s own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights.<sup>35</sup>

The UN Guiding Principles establish that States must take “appropriate steps to prevent, investigate, punish and redress” corporate harm within their jurisdiction.<sup>36</sup> They also provide that “where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation.”<sup>37</sup> Companies are required to seek to prevent

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<sup>29</sup> ICCPR, Article 7; Convention against Torture. The prohibition against torture and other cruel, inhuman or degrading treatment or punishment is a rule of customary international law binding on all states.

<sup>30</sup> Convention against Torture, Article 1(1).

<sup>31</sup> Convention against Torture, Article 16; UN Committee against Torture (CAT), General Comment 2, Implementation of Article 2 by States Parties, 24 January 2008, UN Doc. CAT/C/GC/2, <https://docs.un.org/en/CAT/C/GC/2>, para. 10. For example, an act of ill-treatment would constitute cruel, inhuman or degrading treatment or punishment rather than torture if it lacks the required intention or the required purpose, or if the pain or suffering it causes is not “severe”.

<sup>32</sup> Convention against Torture, Article 2(1).

<sup>33</sup> Convention against Torture, Articles 3-16.

<sup>34</sup> UN Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (UN Guiding Principles), 16 June 2011, UN Doc. HR/PUB/11/04, Principle 1.

<sup>35</sup> UN Guiding Principles, Principle 11 (including Commentary).

<sup>36</sup> UN Guiding Principles, Principle 25.

<sup>37</sup> UN Guiding Principles, Principle 22.



or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.<sup>38</sup>

To meet its corporate responsibility to respect human rights, a company should take proactive and ongoing steps to identify and respond to its potential or actual human rights impacts. Importantly, businesses should implement a due diligence process to identify, prevent, mitigate and account for how they address negative human rights impacts that the enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships.<sup>39</sup>

#### **IV. The Trump administration's mass detention and deportation machine**

Since taking office on 20 January 2025, President Trump and his administration have subjected migrants, asylum seekers and refugees to a litany of human rights violations. The administration has adopted a series of measures aimed at criminalizing, detaining and deporting migrants, asylum seekers and refugees from the United States, and at the same time, at blocking their entry into the US.

The language used by the Trump administration, both in public statements and official documents, is racist, discriminatory, xenophobic and dehumanizing. The harmful and false narratives being perpetuated by the administration have gone on to justify and shape a largely racist mass immigration detention and deportation machine. Significantly, the administration has returned to using “alien” and “illegal alien” to refer to non-citizens and individuals without regular migration status.<sup>40</sup> During a presidential debate on 10 September 2024, then presidential-candidate Trump made racist and discriminatory remarks about Haitian migrants and people seeking asylum claiming that they had been eating domestic pets in Ohio.<sup>41</sup> Similar comments have been made by state officials since January 2025. Secretary of Homeland Security Kristi Noem has referred to migrants as “dirt bags”.<sup>42</sup> Secretary of State Marco Rubio referred to migrants as the “most despicable human beings” and stated, “The President was elected to keep America safe and to get rid of a bunch of perverts and pedophiles and child rapists out of our country.”<sup>43</sup>

Multiple executive orders refer to notions that the United States is “under attack”, “overrun by cartels, criminal gangs, known terrorists, human traffickers, smugglers, unvetted military-age males from foreign adversaries, and illicit narcotics that harm Americans”, “has endured a large-scale invasion at an unprecedented level” and “oversaw an unprecedented flood of illegal immigration”.<sup>44</sup> President Trump has said that he is “shrinking the illegal alien population in the

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<sup>38</sup> UN Guiding Principles, Principle 11 (including Commentary).

<sup>39</sup> UN Guiding Principles, Principle 17.

<sup>40</sup> Immigration Policy Tracking Project, “Trump administration resumes using the words “alien” and “illegal alien” to describe noncitizens and migrants”, 2025, <https://immigrationpolicytracking.org/policies/trump-administration-resumes-using-the-word-alien-to-describe-noncitizens/>.

<sup>41</sup> NBC News, “Trump pushes baseless claim about immigrants ‘eating the pets’”, 10 September 2024, <https://www.nbcnews.com/politics/2024-election/trump-pushes-baseless-claim-immigrants-eating-pets-rcna170537>; Amnesty International, “President Biden Must Act Now to Protect People Seeking Safety”, 2 December 2024, <https://www.amnestyusa.org/press-releases/president-biden-must-act-now-to-protect-people-seeking-safety/>.

<sup>42</sup> South Dakota Searchlight, “Noem labels undocumented immigrants as ‘dirt bags’, pledges support to Homeland Security staff”, 28 January 2025, <https://southdakotasearchlight.com/2025/01/28/repub/noem-labels-immigrants-as-dirt-bags-pledges-support-to-homeland-security-staff/>.

<sup>43</sup> Politico, “White House looking for other countries to accept deportees”, 30 April 2025, <https://www.politico.com/news/2025/04/30/white-house-looking-other-countries-accept-deportees-00319541>.

<sup>44</sup> Executive Order, *Securing Our Borders*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/>; Executive Order, *Clarifying the Military's Role in Protecting the Territorial Integrity of the United States*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/clarifying-the-militarys-role-in-protecting-the-territorial-integrity-of-the-united-states/>; Executive Order, *Guaranteeing the States Protection against Invasion*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/>; Executive Order, *Declaring a National Emergency At the Southern Border of the United States*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/>; Executive Order, *Protecting the American People Against Invasion*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>; Executive Order, *Protecting the United States from Foreign Terrorists and Other Public Safety and National Security Threats*, 20 January, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-united-states->



United States” in order to “fulfill his legal obligation to end this invasion and protect the American people”.<sup>45</sup> These same orders blame migrants, asylum seekers and refugees for security, economic and social problems, framing migration and asylum as security and criminality issues. For example, the Protecting the American People against Invasion Executive Order states, “Many of these aliens unlawfully within the United States present significant threats to national security and public safety, committing vile and heinous acts against innocent Americans. Others are engaged in hostile activities, including espionage, economic espionage, and preparations for terror-related activities. Many have abused the generosity of the American people, and their presence in the United States has cost taxpayers billions of dollars at the Federal, State, and local levels.”<sup>46</sup> The executive order declaring a national emergency at the US-Mexico border states, “This invasion has caused widespread chaos and suffering in our country over the last 4 years. It has led to the horrific and inexcusable murders of many innocent American citizens, including women and children, at the hands of illegal aliens.”<sup>47</sup> The orders then justify the Trump administration’s mass detention and deportation system as a way of “protect[ing] the American people from the disastrous effects of unlawful mass migration and resettlement”.<sup>48</sup>

President Trump has vowed to remove 1 million individuals from the United States.<sup>49</sup> In order to do so, his administration has adopted and implemented a series of executive orders, policies and measures designed to limit access to due process while intensifying immigration enforcement, detention and deportation of migrant communities within the US.<sup>50</sup> These measures have resulted in the systematic targeting of migrants, asylum seekers and refugees, and the establishment of a system of mass arbitrary detention and deportation which is being implemented in cruel ways, with the intent to instill fear in migrants and others seeking asylum across the country. ICE is currently detaining a broad spectrum of individuals including those with pending asylum claims, persons with some sort of temporary migration status or protection, individuals who entered the country irregularly, lawful permanent residents convicted of certain offences, individuals who have overstayed or violated visa conditions, and individuals in removal proceedings. There have also been instances of ICE wrongfully detaining individuals with some sort of permanent immigration status, individuals granted refugee protections, US citizens and Indigenous Peoples.<sup>51</sup>

Some of the administration’s measures are designed to facilitate and enhance ICE and other government agencies’ ability to detain migrants and people seeking asylum. From January to

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from-foreign-terrorists-and-othernational-security-and-public-safety-threats/; Executive Order, *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*, 15 March 2025; <https://www.whitehouse.gov/presidential-actions/2025/03/invocation-of-the-alien-enemies-act-regarding-the-invasion-of-the-united-states-by-tren-de-aragua/>.

<sup>45</sup> White House, “Fact Sheet: President Donald J. Trump Establishes Project Homecoming”, 9 May 2025, <https://www.whitehouse.gov/fact-sheets/2025/05/fact-sheet-president-donald-j-trump-establishes-project-homecoming/>.

<sup>46</sup> Executive Order, *Protecting the American People against Invasion* (previously cited).

<sup>47</sup> Executive Order, *Declaring a National Emergency At the Southern Border* (previously cited).

<sup>48</sup> Executive Order, *Securing our Borders* (previously cited).

<sup>49</sup> American Immigration Council (AIC), *Mass deportation: Analyzing the Trump administration’s attacks on immigrants, democracy and America*, 23 July 2025, <https://www.americanimmigrationcouncil.org/report/mass-deportation-trump-democracy/>, p. 48; USA Today, “ICE planning dramatic detention expansion as it tries to deport 1 million people annually”, 25 April 2025, <https://www.usatoday.com/story/news/politics/2025/04/25/trump-contractors-ice-detentions-deportations/83250623007/>.

<sup>50</sup> Executive Order, *Securing Our Borders* (previously cited); Executive Order, *Clarifying the Military’s Role in Protecting the Territorial Integrity* (previously cited); Executive Order, *Guaranteeing the States Protection against Invasion* (previously cited); Executive Order, *Declaring a National Emergency At the Southern Border* (previously cited); Executive Order, *Protecting the American People Against Invasion* (previously cited); Executive Order, *Protecting the United States from Foreign Terrorists* (previously cited); Executive Order, *Invocation of the Alien Enemies Act Regarding* (previously cited).

<sup>51</sup> ProPublica, “We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days.”, 16 October 2025, <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>; NPR, “NPR fact checks Kristi Noem on ICE detaining US citizens”, 5 November 2025, <https://www.npr.org/2025/11/05/nx-s1-5598373/npr-fact-checks-kristi-noem-on-ice-detaining-us-citizens>; NBC News, “U.S.-born American citizen under ICE hold in Florida is released”, 18 April 2025, <https://www.nbcnews.com/news/latino/us-born-american-citizen-ice-hold-florida-released-rcna201854>; NBC News, “Trump immigration raids snag U.S. citizens, including Native Americans, raising racial profiling fears”, 28 January 2025, <https://www.nbcnews.com/news/latino/trump-immigration-raids-citizens-profiling-accusations-native-american-rcna189203>; Des Moines Register, “Native American nearly deported after Polk County jail issues ICE detainer by mistake”, 13 November 2025, <https://www.desmoinesregister.com/story/news/2025/11/13/native-american-nearly-deported-on-mistaken-polk-county-ice-detainer-leticia-jacobo/87248332007/>.

November 2025, ICE and U.S. Customs and Border Protection (CBP) arrested over 305,124 individuals.<sup>52</sup> DHS rescinded guidelines which prohibited ICE enforcement actions in “sensitive locations” such as schools and courthouses, allowing agents to conduct enforcement actions in or near these areas.<sup>53</sup> ICE’s enforcement practices at courthouses, during ICE check-ins, and in other public spaces, including workplace raids, undermine people’s access to justice and their right to liberty, exposing them to arbitrary detention.<sup>54</sup> These methods deter victims and witnesses from reporting crimes, seeking restraining orders, or accessing legal remedies, thereby weakening the rule of law and public safety more broadly. The cumulative impact of these measures is the creation of an environment of pervasive fear, violating their human rights.<sup>55</sup> Families report avoiding schools, hospitals, workplaces, grocery stores, and places of worship due to fear of detention or family separation, impacting their access to economic, social and cultural rights.<sup>56</sup>

On 29 January 2025, President Trump signed the Laken Riley Act into law which requires that DHS detain any individual who is unlawfully present in the United States and has been “charged with, arrested for, convicted for or admits to having committed acts that constitute the essential elements of burglary, theft, larceny or shoplifting”.<sup>57</sup> The Department of Justice (DOJ) issued interim policy changes allowing it to criminally prosecute individuals if they entered the US irregularly and has started criminally charging individuals with “illegal entry” under Title 8, Section 1325 of the U.S. Code.<sup>58</sup>

Other measures have focused on removing lawful temporary migration status from individuals who are already in the United States – some of whom are waiting for the adjudication of their asylum claims – in order to detain and deport them. According to the Florida Immigrant Coalition (FLIC), the administration has adopted a “robust de-documentation process aimed at stripping people of [migration] documents [and other migration statuses].”<sup>59</sup> The Trump administration cancelled the humanitarian parole program for individuals from Cuba, Haiti, Nicaragua and Venezuela (CHNV) and terminated the parole status of the over 500,000 individuals who had entered the United

<sup>52</sup> TRAC Immigration, “CBP vs ICE Book-Ins to Detention, October 2018 - 09/06/2025”, [https://tracreports.org/immigration/detentionstats/book\\_in\\_agcn\\_program\\_table.html](https://tracreports.org/immigration/detentionstats/book_in_agcn_program_table.html).

<sup>53</sup> ICE, Interim Guidance: Civil Immigration Enforcement Actions in or near Courthouses, January 2025, [https://iptp-production.s3.amazonaws.com/media/documents/2025.01\\_ICE\\_Courthouse\\_Enforcement\\_Guidance.pdf](https://iptp-production.s3.amazonaws.com/media/documents/2025.01_ICE_Courthouse_Enforcement_Guidance.pdf); U.S. Department of Homeland Security (DHS), “Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole”, 21 January 2025, [https://iptp-production.s3.amazonaws.com/media/documents/2025.01.21\\_DHS\\_Statement\\_on\\_Expanding\\_Law\\_Enforcement\\_and\\_Humanitarian\\_Parole.pdf](https://iptp-production.s3.amazonaws.com/media/documents/2025.01.21_DHS_Statement_on_Expanding_Law_Enforcement_and_Humanitarian_Parole.pdf).

<sup>54</sup> Miami Herald, “ICE Agents in Miami find new spot to carry out arrests: Immigration Court”, 26 May 2025, <https://www.miamiherald.com/news/local/immigration/article306900486.html>; NPR, “Some legal experts say ICE in criminal courts means a slower path to justice”, 8 August 2025, <https://www.npr.org/2025/08/08/nx-s1-5496530/legal-experts-ice-criminal-courts-a-slower-path-to-justice>.

<sup>55</sup> IACHR, *Report on Immigration in the United States: Detention and Due Process*, OEA/Ser.L/V/II. Doc. 78/10, 30 December 2010, <https://www.oas.org/en/iachr/migrants/docs/pdf/Migrants2011.pdf>.

<sup>56</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 13; ACLU of Florida, Push back against 287(g) agreements on campus: Student and faculty toolkit, 2025, [https://www.aclufl.org/app/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://www.aclufl.org/app/uploads/2025/05/studenttoolkit-287g-v3.pdf&attachment\\_id=0&dButton=true&pButton=true&oButton=false&sButton=true&pagemode=none&\\_wpnonce=ebe0eec4e4](https://www.aclufl.org/app/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://www.aclufl.org/app/uploads/2025/05/studenttoolkit-287g-v3.pdf&attachment_id=0&dButton=true&pButton=true&oButton=false&sButton=true&pagemode=none&_wpnonce=ebe0eec4e4); Elizabeth Aranda et al., “Survey shows immigrants in Florida – even US citizens – are less likely to seek health care after passage of anti-immigrant laws”, 25 February 2025, <https://jheor.org/post/2985-survey-shows-immigrants-in-florida-even-us-citizens-are-less-likely-to-look-for-health-care-after-passage-of-anti-immigrant-laws>; WPBF News, “Concerns over immigration raids impacting attendance at South Florida schools”, 5 February 2025, <https://www.wpbf.com/article/florida-concerns-immigration-ice-raids-impacting-attendance-schools/63677160>; Miami Herald, “As school starts in South Florida, families fear increased immigration enforcement”, 11 August 2025, <https://www.miamiherald.com/news/local/immigration/article311596042.html>; Miami Herald, “Where did the students go? Fear, migration fuel steep enrollment drop at Miami schools”, 15 September 2025, <https://www.miamiherald.com/news/local/education/article312052240.html>; NPR, “Some Florida farmers reduce crops as deportation fears drive workers away”, 20 August 2025, <https://www.npr.org/2025/08/20/nx-s1-5496668/some-florida-farmers-reduce-crops-as-deportation-fears-drive-workers-away>;

<sup>57</sup> H.R.7511 - Laken Riley Act, 29 January 2025, <https://www.congress.gov/bills/118th-congress/house-bill/7511>.

<sup>58</sup> U.S. Department of Justice (DOJ), Interim Policy Changes Regarding Charging, Sentencing and Immigration Enforcement, 21 January 2025, [https://iptp-production.s3.amazonaws.com/media/documents/2025.01.21\\_Acting\\_Deputy\\_AG\\_Memo\\_on\\_Interim\\_Policy\\_Changes\\_Regarding\\_Immigrati\\_Z9DGfe6.pd](https://iptp-production.s3.amazonaws.com/media/documents/2025.01.21_Acting_Deputy_AG_Memo_on_Interim_Policy_Changes_Regarding_Immigrati_Z9DGfe6.pd); 8 U.S.C. 1325, <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1325&num=0&edition=prelim>.

<sup>59</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

States through the program.<sup>60</sup> It has also terminated temporary protected status (TPS) designations for Afghanistan, Cameroon, Haiti, Honduras, Myanmar, Nicaragua, Nepal, South Sudan and Venezuela.<sup>61</sup> These decisions have resulted in over 1.5 million people losing lawful temporary status in the United States, exposing them to detention and deportation.<sup>62</sup>

The Trump administration has expanded migration enforcement actions in cities across the United States. Nearly all domestic law enforcement agencies have been deputized to engage in civil immigration enforcement through 287(g) agreements which allow ICE to delegate certain immigration enforcement duties to state and local law enforcement agencies.<sup>63</sup> Communities across the country have seen masked agents in unmarked clothing remove migrants and people seeking asylum from their communities, armored vehicles and military-grade weapons roving the streets, and armed agents break down doors of homes and vehicles to arrest people.<sup>64</sup> President Trump has sent the National Guard to Washington, DC, and Chicago, to participate in migration enforcement.<sup>65</sup>

Immigration detention has long been a problem in the United States, with a history of abuse and cruel conditions.<sup>66</sup> Under the Trump administration, the use of immigration detention has substantially increased.<sup>67</sup> On 16 November 2025, there were 65,135 individuals in ICE detention, which is largely considered an undercount because it does not include thousands of people in short-term ICE processing facilities, ICE field offices, federal pre-trial detention, or other facilities.<sup>68</sup> This is compared with 39,703 people detained on 12 January 2025 – representing a

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<sup>60</sup> The Supreme Court upheld the cancellation of the CNV parole program on 30 May 2025. DHS, “DHS Issues Notices of Termination for the CHNV Parole Program, Encourages Parolees to Self-Deport Immediately”, 12 June 2025, <https://www.dhs.gov/news/2025/06/12/dhs-issues-notices-termination-chnv-parole-program-encourages-parolees-self-deport>; Executive Order, *Securing our Borders* (previously cited).

<sup>61</sup> U.S. Citizenship and Immigration Services (USCIS), “Temporary Protected Status”, 5 November 2025, <https://www.uscis.gov/humanitarian/temporary-protected-status>.

<sup>62</sup> NILC, “The Price of Cruelty: How Trump’s Mass Deportation Agenda Endangers Us All”, 3 October 2025, <https://www.nilc.org/articles/the-price-of-cruelty-how-trumps-mass-deportation-agenda-endangers-us-all/>.

<sup>63</sup> Immigration and Nationality Act § 287(g), codified at 8 U.S.C. § 1357(g) (1996). ICE, Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act, <https://www.ice.gov/identify-and-arrest/287g>; Florida Statute § 908.104, Cooperation with federal immigration authorities, <https://www.flsenate.gov/laws/statutes/2024/908.104>; HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited); ACLU of Florida, “Push Back Against 287(g) Agreements on Campus” (previously cited); ProPublica, “Local Police Join ICE Deportation Force in Record Numbers”, 9 June 2025, <https://www.propublica.org/article/ice-deportation-police-287g-program-expansion>; AP, “Immigrant rights groups urge sheriffs to prioritize public safety over immigration enforcement”, 24 June 2025, <https://apnews.com/article/immigration-rally-sheriffs-association-ice-florida-83f6a963ad3b629b1ad9a66d160b2a81>.

<sup>64</sup> Amnesty International, *USA: Chaos & cruelty: 10 compounding assaults on human rights: A review of President Trump’s first 100 days in office* (Index: AMR 51/9313/2025), 30 April 2025, <https://www.amnesty.org/en/documents/amr51/9313/2025/en/>, p. 2.

<sup>65</sup> NPR, “Trump’s National Guard deployments aren’t random. They were planned years ago”, 3 November 2025, <https://www.npr.org/2025/11/03/nx-s1-5593112/national-guard-mass-deportations-trump-2026>; NPR, “Where each of Trump’s National Guard deployments and related court battles stand”, 11 November 2025, <https://www.npr.org/2025/10/10/nx-s1-5567177/national-guard-map-chicago-california-oregon>; The Guardian, “National guard deployment in Washington DC extended until February”, 30 October 2025, <https://www.theguardian.com/us-news/2025/oct/29/hegseth-washington-dc-national-troops>.

<sup>66</sup> Washington Post, “Immigrants forced to sleep on floors at overwhelmed ICE detention centers: Conditions are deteriorating as many detention centers approach capacity and the Trump administration closes two agencies overseeing health and safety at the facilities”, 20 April 2025, <https://www.washingtonpost.com/business/2025/04/18/immigrant-detention-overcrowding-trump-crackdown/>; Amnesty International, Haitian Bridge Alliance, Florence Project et al., *Information Submitted to the IACHR Rapporteurship on Human Mobility*, 6 May 2025, [https://refugeerights.org/wp-content/uploads/2025/05/English-Written-statement-for-IACHR-Rapporteurship-on-Human-Mobility\\_May-6-2025.pdf](https://refugeerights.org/wp-content/uploads/2025/05/English-Written-statement-for-IACHR-Rapporteurship-on-Human-Mobility_May-6-2025.pdf); National Immigrant Justice Center, *Snapshot of ICE Detention: Inhumane Conditions and Alarming Expansion*, 20 September 2024, <https://immigrantjustice.org/research-items/policy-brief-snapshot-ice-detention-inhumane-conditions-and-alarming-expansion>; Physicians for Human Rights, “Endless Nightmare”: Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention, 6 February 2024, <https://phr.org/our-work/resources/endless-nightmare-solitary-confinement-in-us-immigration-detention/>; Center for Victims of Torture, *Arbitrary and Cruel: How U.S. Immigration Detention Violates the Convention Against Torture and Other International Obligations*, June 2023, [https://www.cvt.org/wp-content/uploads/2023/06/Arbitrary\\_and\\_Cruel\\_d5\\_FINAL.pdf](https://www.cvt.org/wp-content/uploads/2023/06/Arbitrary_and_Cruel_d5_FINAL.pdf).

<sup>67</sup> Physicians For Human Rights, “Endless Nightmare” (previously cited); Stateline, “For-profit immigration detention expands as Trump accelerates his deportation plans States may not be able to limit or block new contracts with private companies”, 11 April 2025, <https://stateline.org/2025/04/11/for-profit-immigration-detention-expands-as-trump-accelerates-his-deportation-plans/>; AIC, “Congress Approves Even More Funding for Detention, Deportation,” 14 March 2025, <https://www.americanimmigrationcouncil.org/news/congress-approves-even-more-funding-detention-deportation>; The Guardian, “Biden extended contracts to private immigration jails despite reports of ‘horrific’ conditions”, 6 December 2024, <https://www.theguardian.com/us-news/2024/dec/06/biden-immigration-detention-centers-inhumane-conditions>.

<sup>68</sup> TRAC Immigration, “ICE Detainees”, 2025, [https://tracreports.org/immigration/detentionstats/pop\\_agen\\_table.html](https://tracreports.org/immigration/detentionstats/pop_agen_table.html); CBS News, “ICE’s detainee population reaches 66,000, a new record high, statistics show”, 6 November 2025, <https://www.cbsnews.com/news/ices-detainee-population-reaches-66000-a-new-record-high-statistics-show/>.

64% increase.<sup>69</sup> ICE has adopted a policy which makes individuals who entered the US irregularly ineligible for bond meaning that they are forced to remain in detention for the duration of their removal proceedings.<sup>70</sup> At least 25 individuals have died in ICE custody during the 2025 fiscal year (22 after 20 January 2025), compared with 12 individuals in the 2024 fiscal year.<sup>71</sup> At the same time that the Trump administration expands ICE's detention capacity, detention conditions are dramatically deteriorating.

The Trump administration has dedicated large amounts of federal and state resources to fund its mass detention and deportation machine. On 4 July 2025, President Trump signed H.R.1 (the so-called "One Big Beautiful Bill") into law, which provides \$170.7 billion USD in additional funding to DHS, ICE, CBP and the Department of Defense for immigration and border enforcement related activities, including \$45 billion USD for detention capacity expansion; \$29.9 billion USD for enforcement and removal, including hiring ICE agents, transportation costs, and detaining families; and \$13.5 billion USD for state immigration and border enforcement cost-reimbursement funds.<sup>72</sup> This increase in funding will allow ICE to hire 10,000 additional agents which would represent a 50% increase in the agency's workforce, as ICE currently employs around 20,000 law enforcement and support staff across 400 offices.<sup>73</sup> Based on an estimate of detention costs provided by ICE to Congress in January 2025, it is estimated that the funding from H.R.1 could increase ICE's detention capacity to 116,000 beds.<sup>74</sup>

The Trump administration has also adopted measures enabling it to remove people from the United States as quickly as possible, without due process. On 27 October 2025, DHS announced "record-breaking statistics with more than 527,000 illegal aliens removed under the leadership of President Donald Trump and Homeland Security Secretary Kristi Noem."<sup>75</sup> DHS has also been actively encouraging individuals without regular status in the United States to "self-deport" using the CBP Home mobile application.<sup>76</sup> DHS expanded the application of expedited removal procedures to anywhere in the country, meaning that individuals who do not have regular migration status and have been in the country for less than two years can be removed without their case being heard by an immigration judge.<sup>77</sup> A November 2025 court decision allows immigration judges to "pretermite" asylum claims from Spanish-speaking countries under existing asylum cooperation agreements. This means judges can dismiss these claims without a full hearing so that individuals

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<sup>69</sup> 12 January 2025 is the latest date prior to President Trump taking office for which statistics are available on the number of individuals in ICE detention. TRAC Immigration, "ICE Detainees" (previously cited).

<sup>70</sup> This policy was upheld by the Board of Immigration Appeals (BIA) in September 2025. *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), 5 September 2025, <https://www.justice.gov/eoir/media/1413311/dl?inline>; AIC, "BIA Decision Strips Immigration Judges of Bond Authority, All but Guaranteeing Mandatory Detention for Undocumented Immigrants", 12 September 2025, <https://www.americanimmigrationcouncil.org/blog/bia-ruling-immigration-judges-bond-mandatory-detention-undocumented-immigrants/>.

<sup>71</sup> ICE, "Detainee Death Reporting", 16 October 2025, <https://www.ice.gov/detain/detainee-death-reporting>; Congress of the United States, "Congressional Letter to DHS and ICE", 21 November 2025, <https://min.house.gov/sites/evo-subsites/min.house.gov/files/evo-media-document/11.21.25-dhs-detainee-deaths-oversight-letter.pdf>; AILA, "Deaths at Adult Detention Centers", 23 September 2025, <https://www.aila.org/deaths-at-adult-detention-centers#2025>; DWN, "DC press conference honors lives lost to ICE detention — the highest death toll in decades", 30 October 2025, <https://www.detentionwatchnetwork.org/pressroom/releases/2025/dc-press-conference-honors-lives-lost-ice-detention-highest-death-toll>.

<sup>72</sup> H.R.1 – One Big Beautiful Bill, 4 July 2025, <https://www.congress.gov/bill/119th-congress/house-bill/1/all-actions>; AIC, "What's in the Big Beautiful Bill? Immigration and Border Security Unpacked", 14 July 2025, <https://www.americanimmigrationcouncil.org/fact-sheet/big-beautiful-bill-immigration-border-security/>.

<sup>73</sup> Newsweek, "Number of Ice Agents To Increase by 50 Percent: What To Know", 14 July 2025, <https://www.newsweek.com/number-ice-agents-increase-50-percent-what-know-2098652>.

<sup>74</sup> AIC, "What's in the Big Beautiful Bill?" (previously cited).

<sup>75</sup> DHS, "DHS removes more than half a million illegal aliens from US", 27 October 2025, <https://www.dhs.gov/news/2025/10/27/dhs-removes-more-half-million-illegal-aliens-us>.

<sup>76</sup> DHS, "CBP Home: Assistance to Voluntarily Self-Deport", 3 July 2025, <https://www.dhs.gov/cbphome>; White House, "Fact Sheet: President Donald J. Trump Establishes Project Homecoming" (previously cited).

<sup>77</sup> DHS, Designating Aliens for Expedited Removal, 24 January 2025, [https://iptp-production.s3.amazonaws.com/media/documents/Expanded\\_Expedited\\_Removal\\_FRN.pdf](https://iptp-production.s3.amazonaws.com/media/documents/Expanded_Expedited_Removal_FRN.pdf).



can be removed from the United States and sent to a country that it has an asylum agreement with to seek asylum there instead.<sup>78</sup>

The Trump administration has also been negotiating with over 15 countries to receive individuals not from those countries who are in deportation proceedings.<sup>79</sup> The administration has already deported or expelled third country nationals, several of whom had pending asylum claims, to Costa Rica, Eswatini, Ghana, Guatemala, Mexico, Panama, Rwanda and South Sudan.<sup>80</sup>

Following the Trump administration's invocation of the Alien Enemies Act in March 2025, 252 Venezuelan migrants, refugees and asylum seekers were unlawfully expelled to the Terrorism Confinement Center (CECOT) in El Salvador.<sup>81</sup> Those expelled include individuals who were in the midst of ongoing court processes, were arrested while complying with their immigration obligations, were already granted protections in the United States including under the Convention Against Torture, and were labelled as "gang members" for their tattoos or connection to the Venezuelan state of Aragua with no other evidence. In fact, ICE officials even later admitted "many" had no criminal record and some were removed because of a perception they may commit crimes in the future.<sup>82</sup>

## V. The State of Florida's attacks against migrants, asylum seekers and refugees

Florida's demographic profile has long been shaped by both domestic and international migration. Roughly one in five Florida residents is foreign-born (about 22-23% of the state's population), and between 2020 and 2023 all of the state's population growth was attributable to net migration (with approximately 30% of that net migration estimated to be international).<sup>83</sup> International arrivals were the single largest source of new residents in 2024, helping drive Florida's population growth to the highest rate among states, and immigrants are concentrated in the state's major metropolitan counties where they supply labor across key industries, including healthcare, hospitality, agriculture, and construction.<sup>84</sup> The Migration Policy Institute and state demographic analyses emphasize that these trends have altered Florida's age and labor structure, bolstered local economies, and increased the share of households with at least one immigrant member.<sup>85</sup>

With immigrants representing such a large portion of Florida's population, the state of Florida's attacks against migrants, asylum seekers and refugees are particularly troubling. Florida's actions must be understood within the broader context of the Trump administration's massive expansion of immigration enforcement powers. This interplay has created a dual system of overlapping

<sup>78</sup> *Matter of C-I-G-M- & L-V-S-G-*, 29 I&N Dec. 291 (BIA 2025), <https://www.justice.gov/eoir/media/1416811/dl?inline>.

<sup>79</sup> Council on Foreign Relations, "What Are Third-Country Deportations, and Why Is Trump Using Them?", 3 September 2025, <https://www.cfr.org/article/what-are-third-country-deportations-and-why-trump-using-them>.

<sup>80</sup> OHCHR, "UN experts alarmed by resumption of US deportations to third countries, warn authorities to assess risks of torture", 20 July 2025, <https://www.ohchr.org/en/press-releases/2025/07/un-experts-alarmed-resumption-us-deportations-third-countries-warn>; IRAP, "Trump administration's third country removals put migrants in harm's way", 2025, <https://refugeerights.org/news-resources/trump-administrations-third-country-removals-put-migrants-in-harms-way>; HRW, "Nobody Cared, Nobody Listened": The US Expulsion of Third-Country Nationals to Panama, 24 April 2025, <https://www.hrw.org/report/2025/04/24/nobody-cared-nobody-listened/the-us-expulsion-of-third-country-nationals-to-panama>; HRW, "The Strategy is to Break Us": The US Expulsion of Third-Country Nationals to Costa Rica, 22 May 2025, [https://www.hrw.org/sites/default/files/media\\_2025/05/costarica0525%20web.pdf](https://www.hrw.org/sites/default/files/media_2025/05/costarica0525%20web.pdf).

<sup>81</sup> Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency" (previously cited); Amnesty International, *Americas: Enforced disappearances in limbo* (previously cited); HRW, "You Have Arrived in Hell": Torture and Other Abuses Against Venezuelans in El Salvador's Mega Prison, 12 November 2025, [https://www.hrw.org/sites/default/files/media\\_2025/11/elsalvador1125%20web.pdf](https://www.hrw.org/sites/default/files/media_2025/11/elsalvador1125%20web.pdf).

<sup>82</sup> Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency" (previously cited); Amnesty International, *Americas: Enforced disappearances in limbo* (previously cited).

<sup>83</sup> U.S. Census Bureau, S0503: Selected Characteristics (ACS 2023), 2023, <https://data.census.gov/table/ACSST5Y2023.S0503?g=060XX00US1208692158>; Florida Office of Economic and Demographic Research, *Econographic News*, 2024, [https://edr.state.fl.us/Content/population-demographics/reports/econographicnews\\_2024\\_Volume%201.pdf](https://edr.state.fl.us/Content/population-demographics/reports/econographicnews_2024_Volume%201.pdf).

<sup>84</sup> Pew Research Center, "Population Growth in Most States Outpaced Long-Term Trends in 2024", 5 March 2025, <https://www.pew.org/en/research-and-analysis/articles/2025/03/05/population-growth-in-most-states-outpaced-long-term-trends-in-2024>.

<sup>85</sup> Migration Policy Institute, "State Immigration Data Profile: Florida", <https://www.migrationpolicy.org/data/state-profiles/state/demographics/FL>; AIC, "Immigrants in Florida", <https://map.americanimmigrationcouncil.org/locations/florida/>.

authority that amplifies human rights violations. Florida has passed laws, and the Governor has issued executive orders which make migration a criminal offense within its borders, creating immediate human rights risks including arbitrary and racially disparate immigration enforcement, wrongful detention – including of US citizens –, curtailed access to asylum, immigration relief and counsel, and increased risk of refoulement or deportation without adequate due process and access to legal remedies.<sup>86</sup>

In February 2025, Florida enacted a series of extreme migration policies including Senate Bill 4-C (SB 4-C) which makes it illegal for an individual without regular migration status to enter the state (“unauthorized entry and re-entry”).<sup>87</sup> The law also prevents certain individuals from eligibility for pre-arrest and post-arrest relief. The law criminalizes the mere presence and movement within the state based on immigration status.<sup>88</sup> The first violation under the law is a first-degree misdemeanor with a mandatory minimum sentence of nine months in prison. The second violation is a third-degree felony with a mandatory minimum sentence of one year and one day in prison. If an individual violates the law a third time, it is also a third-degree felony, with a mandatory minimum sentence of two years imprisonment.<sup>89</sup> Human rights and immigrant rights groups including FLIC, Farmworkers Association of Florida, ACLU of Florida, AIJ, and others filed litigation in federal court to contest the law, arguing that it is pre-empted by federal immigration law, violates the US Constitution’s Commerce Clause<sup>90</sup> and Supremacy Clause,<sup>91</sup> and would produce widespread human rights harms.<sup>92</sup> The Southern District of Florida court granted temporary relief blocking enforcement of the law and later extended the relief pending the outcome of the case.<sup>93</sup> Florida’s Attorney General appealed but the Supreme Court denied his request, demonstrating that courts have enjoined enforcement of the law as its basis, categorizing migrants as uniformly removable or criminal is legally flawed and deeply contested.

FLIC shared with Amnesty International one example of SB 4-C’s enforcement, despite a federal court temporarily halting its implementation, which shows its problematic impact on human rights – the case of Juan Carlos Lopez-Gomez.<sup>94</sup> Juan, a 20-year-old, US citizen born in the state of Georgia, was a passenger in a vehicle stopped by Florida police. Juan was traveling from Georgia to Florida for a job. Despite presenting his valid Georgia identification, he was arrested and detained for “unauthorized entrance into the state of Florida.” Juan was in police custody for over 24 hours and subsequently placed under a federal immigration hold before his release. At the hearing for his criminal charge, the judge was presented with a copy of Juan’s valid US birth certificate, allowing her to dismiss the criminal charges, finding no probable cause for his arrest. She did not have jurisdiction to release Juan however, because of an ICE immigration hold that was part of the initial traffic stop. Florida law enforcement officers enforced the new law in a

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<sup>86</sup> The Marshall Project, “Arrested, Shackled and Deported from Florida — Despite a Federal Court Order”, 15 July 2025, <https://www.themarshallproject.org/2025/07/15/florida-immigration-wrongful-arrests>.

<sup>87</sup> S.B. 4-C, 2025 Leg., Reg. Sess. (Fla. 2025), <https://www.flsenate.gov/Session/Bill/2025c/4C/BillText/er/PDF>.

<sup>88</sup> S.B. 4-C, 2025 (previously cited).

<sup>89</sup> S.B. 4-C, 2025 (previously cited).

<sup>90</sup> The Commerce Clause is a part of the US Constitution that gives Congress the power to regulate business and trade between states and with foreign nations. It has two main effects: it empowers the federal government to legislate interstate commerce, and it also restricts states from creating laws that unfairly burden or discriminate against commerce from other states. In short, it allows Congress to manage the economy across state lines while preventing states from creating their own barriers to trade.

<sup>91</sup> The Supremacy Clause is a US constitutional principle that establishes federal law as the “supreme law of the land” over conflicting state laws. It means that if a federal and a state law conflict, the federal law wins. The clause also makes federal law, the Constitution, and treaties binding on state judges.

<sup>92</sup> *Florida Immigrant Coalition et al. v. Uthmeier*, Case No. 1:25-cv-21524, 2 April 2025, <https://www.courtlistener.com/docket/69834882/florida-immigrant-coalition-v-uthmeier/>; *Arizona v. United States*, 567 U.S. 387, 2012, <https://supreme.justia.com/cases/federal/us/567/387/>; ACLU, “Federal Appellate Court Denies Florida’s Request to Enforce Unconstitutional Anti-Immigrant Law SB 4-C”, 6 June 2025, <https://www.aclu.org/press-releases/federal-appellate-court-denies-floridas-request-to-enforce-unconstitutional-anti-immigrant-law-sb-4-c>.

<sup>93</sup> U.S. District Court Southern District of Florida, *Case No. 25-21524-CV-Williams*, 4 April 2025, [https://www.aclufi.org/app/uploads/2025/04/2025-04-04\\_order\\_dckt\\_28\\_0.pdf](https://www.aclufi.org/app/uploads/2025/04/2025-04-04_order_dckt_28_0.pdf).

<sup>94</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.



discriminatory manner, violating Juan's right to liberty and freedom from arbitrary detention. Juan was eventually released but he and his family were shaken by his wrongful arrest and detention.<sup>95</sup>

In addition to state legislative policies targeting migrants and people seeking asylum, Florida Governor Ron DeSantis has declared an "immigration emergency" pursuant to the state's emergency management authority, allowing his administration to utilize emergency resources to create state-owned and operated immigration detention facilities, such as "Alligator Alcatraz".<sup>96</sup> Framing the measures as critical for removing individuals labeled as "illegal" or "already on final orders of removal," DeSantis and his administration have coordinated state-level enforcement, state-federal agreements and requested operational support from federal authorities.<sup>97</sup> Many of the people detained under these emergency orders in the state do not have final orders of removal, have valid immigration status or are US citizens whose human rights are being violated.<sup>98</sup>

Courts and civil society organizations have repeatedly noted that Florida has provided no evidence that every individual in immigration detention in the state has a final removal order.<sup>99</sup> Amnesty International spoke with four individuals detained at Krome without final removal orders. The clear contradiction between the Florida Governor's rhetoric and available documentation demonstrate the state's intention to stigmatize and functionally recast migrant community members as "criminals" and as "defying deportation orders" rather than critical community members that may be undocumented, still in court processes, or may have pending asylum claims, lawful statuses, or even US citizenship.

The state of Florida has cultivated a dangerous and punitive environment for migrants, asylum seekers and refugees, violating human rights law and standards, and putting people at risk. Florida has massively expanded its use of 287(g) agreements that deputize local and state law enforcement officers to act as immigration agents allowing these officers to arrest and detain people for ICE.<sup>100</sup> 287(g) is a section of the Immigration and Nationality Act (INA) that allows ICE to delegate certain immigration enforcement duties to state and local law enforcement agencies. This entanglement

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<sup>95</sup> NBC News, "U.S.-born American citizen under ICE hold in Florida is released" (previously cited); CNN, "Mid-commute traffic stop left US citizen detained under an ICE order. Then, a Florida judge verified his US birth certificate", 19 April 2025, <https://edition.cnn.com/2025/04/17/us/lopez-gomez-citizen-detained-ice-florida/index.html>; Florida Phoenix, "US-born man held for ICE under Florida's new anti-immigration law", 17 April 2025, <https://floridaphoenix.com/2025/04/17/u-s-born-man-held-for-ice-under-floridas-new-anti-immigration-law/>.

<sup>96</sup> State of Florida, Office of the Governor Executive Order Number 23-03, 6 January 2023, <https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO-23-03-1.pdf>; State of Florida, Office of the Governor Executive Order Number 25-192, 29 September 2025, <https://www.flgov.com/eog/sites/default/files/executive-orders/2025/EO%2025-192.pdf>; The Guardian, "DeSantis under fire for using disaster funds to build migrant detention jail", 17 July 2025, <https://www.theguardian.com/us-news/2025/jul/17/ron-desantis-disaster-funds-alligator-alcatraz>; NPR, "Florida is moving ahead with 'Alligator Alcatraz', despite widespread pushback", 27 June 2025, <https://www.npr.org/2025/06/24/nx-s1-5443268/alligator-alcatraz-florida-everglades-migrant-detention-center>.

<sup>97</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025; Fox News, "DeSantis warns Florida is 'not Portland' as state secures major federal immigration funding; State leads nation with 325 agreements under 287(g) program, empowering local officers in immigration duties", 26 September 2025, <https://www.foxnews.com/politics/desantis-warns-florida-not-portland-state-secures-major-federal-immigration-funding>; Politico, "Florida gets more than \$600M from FEMA for 'Alligator Alcatraz', other detention sites", 2 October 2025, <https://subscriber.politicopro.com/article/2025/10/florida-gets-more-than-600m-from-fema-for-alligator-alcatraz-other-detention-sites-00592432>.

<sup>98</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025; NewsNation, "Civil suit grows as DOJ disputes DeSantis immigration claims", 7 October 2025, <https://www.newsnationnow.com/us-news/immigration/doj-contradicts-desantis-immigration-claims/>.

<sup>99</sup> *Florida Immigrant Coalition et al. v. Uthmeier* (previously cited); ACLU of Florida, "Federal Court Halts Florida's Cruel Anti-Immigrant Law SB 4-C in Major Victory for Immigrant Justice", 4 April 2025, <https://www.aclufla.org/press-releases/federal-court-halts-floridas-cruel-anti-immigrant-law-sb-4-c-in-major-victory-for-immigrant-justice/>; Human Rights Watch, *Americans for Immigrant Justice & Sanctuary of the South, "You feel like your life is over": Abusive practices at three Florida immigration detention centers since January 2025*, 21 July 2025, [https://www.hrw.org/sites/default/files/media\\_2025/07/us\\_florida0725%20web\\_3.pdf](https://www.hrw.org/sites/default/files/media_2025/07/us_florida0725%20web_3.pdf); WLRN, "Lawyers Say Not All at 'Alligator Alcatraz' Have Removal Orders", 31 July 2025, <https://www.wlrn.org/light/immigration/2025-07-31/politifact-fl-lawyers-say-not-all-at-alligator-alcatraz-have-removal-orders>; Tampa Bay Times, "Not All Alligator Alcatraz Detainees Have Removal Orders, Lawyers Say", 31 July 2025, <https://www.tampabay.com/news/florida-politics/2025/07/31/alligator-alcatraz-desantis-immigration-ice-deportation-orders/>.

<sup>100</sup> Immigration and Nationality Act § 287(g), codified at 8 U.S.C. § 1357(g) (1996). ICE, Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act, <https://www.ice.gov/identify-and-arrest/287g>; Florida Statute § 908.104, Cooperation with federal immigration authorities, <https://www.flsenate.gov/laws/statutes/2024/908.104>; HRW, AIJ & SOS, "You Feel Like Your Life Is Over" (previously cited); ACLU of Florida, "Push Back Against 287(g) Agreements on Campus" (previously cited); ProPublica, "Local Police Join ICE Deportation Force in Record Numbers", 9 June 2025, <https://www.propublica.org/article/ice-deportation-police-287g-program-expansion>; AP, "Immigrant rights groups urge sheriffs to prioritize public safety over immigration enforcement", 24 June 2025, <https://apnews.com/article/immigration-rally-sheriffs-association-ice-florida-83f6a963ad3b629b1ad9a66d160b2a81>.

between state and local law enforcement agencies and immigration enforcement erodes the traditional division of civil and criminal matters, increasing the likelihood of arbitrary arrests and racial profiling in contravention of international human rights norms of non-discrimination and equal protection under the law.<sup>101</sup>

There are three main 287(g) models used in the US: (i) the Jail Enforcement Model (JEM) under which deputized jail and correctional staff are authorized to interview, screen, and refer individuals already in local custody for immigration proceedings. Activities primarily occur inside jails and target people already arrested; (ii) the Warrant Service Officer (WSO) model through which there is limited deputation of officers – often corrections and jail staff – focused on serving ICE administrative warrants and transferring custody; and, (iii) the Task Force Model (TFM) which deputizes patrol, city, county and state officers to conduct immigration-related enforcement in the community, including traffic stops, street encounters, serving civil immigration warrants, and making civil immigration arrests under ICE authority.<sup>102</sup> The TFM is the broadest, street-level model and has been criticized for enabling stops and checks of people during ordinary policing activities. Florida state press releases and the state law-enforcement agencies describe authorities consistent with the TFM, including street-level identification, interrogation, detainment, warrant service, and transportation of individuals to ICE custody.<sup>103</sup>

In 2022, Florida passed Senate Bill 1808 which requires any law enforcement agency operating a detention facility in the state to enter into a 287(g) agreement with ICE.<sup>104</sup> As of 14 November 2025, ICE had signed memorandums of understanding for 287(g) agreements with 335 agencies in the state of Florida – the highest number of any state in the country.<sup>105</sup>

The Florida Highway Patrol (FHP) is operating under the 287(g) Task Force Model, having signed a memorandum of agreement with ICE in February 2025.<sup>106</sup> FLIC told Amnesty International that Florida is the only state in the country where university and college campus police have also been deputized under 287(g) agreements, meaning that campus police are now carrying out immigration enforcement actions.<sup>107</sup> According to FLIC, campus police have the capacity to facilitate the transportation of individuals arrested at colleges and universities directly to detention centers.<sup>108</sup>

The unprecedented use of 287(g) agreements by local, county, and state law enforcement agencies in Florida has resulted in a growing number of local law enforcement officers deputized to enforce complex migration laws as agents of ICE, and the increasing use of local and county jails detaining

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<sup>101</sup> ICCPR, Articles 2(1), 9 & 26; AIC, “287(g) Agreements with ICE Threaten Welcoming Communities”, 26 September 2025, <https://www.americanimmigrationcouncil.org/blog/287g-agreements-ice-threaten-communities/>.

<sup>102</sup> ICE, “Delegation of Immigration Authority Section 287(g) – ICE’s 287(g) Program”, 14 November 2025, <https://www.ice.gov/identify-and-arrest/287g>; ICE, “Memorandum of Agreement — 287(g) Task Force Model”, <https://www.ice.gov/doclib/about/offices/ero/287g/moaFillableTFM.pdf>; ICE, “Memorandum of Agreement — 287(g) Jail Enforcement Model (MOA template)”, <https://www.ice.gov/doclib/about/offices/ero/287g/moaFillableJEM.pdf>; DHS, Office of Inspector General, “The Performance of 287(g) Agreements: FY 2011/2013 Update”, OIG-13-116, 6 September 2013, <https://www.oig.dhs.gov/reports/2013-09/performance-287g-agreements-fy-2013-update/oig13-116sep13>; AIC, “The 287(g) Program: An Overview”, 8 July 2021, <https://www.americanimmigrationcouncil.org/fact-sheet/287g-program-immigration/>.

<sup>103</sup> Office of the Governor of Florida, “Governor Ron DeSantis Announces Additional Memoranda of Agreement between Florida Law Enforcement and U.S. Immigration and Customs Enforcement”, 19 February 2025, <https://www.flgov.com/eog/news/press/2025/governor-ron-desantis-announces-additional-memoranda-of-agreement-between-florida-law>; Florida Department of Law Enforcement, “FDLE members officially become 287-g certified Task Force Officers”, 10 July 2025, <https://www.fdle.state.fl.us/news/2025/july/fdle-members-officially-become-287-g-certified-task-force-officers>; Florida Department of Highway Safety & Motor Vehicles (FLHSMV), “Florida Secures \$13.6 Million in Federal Funding to Expand Immigration Enforcement (Task Force Model)”, 1 October 2025, <https://www.flhsmv.gov/2025/10/01/florida-secures-13-6-million-in-federal-funding-to-expand-immigration-enforcement/>; WUSF Public Media, “Florida Highway Patrol troopers will soon aid ICE in deportation efforts”, 7 February 2025, <https://www.wusf.org/courts-law/2025-02-07/florida-highway-patrol-officers-will-soon-aid-ice-in-deportation-efforts>.

<sup>104</sup> The Florida Senate, Senate Bill 1808, 2022, <https://www.flsenate.gov/Session/Bill/2022/1808>.

<sup>105</sup> ICE, “Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act – 287(g) Participating Agencies”, 14 November 2025, <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.ice.gov%2Fdoclib%2Fabout%2Foffices%2Fero%2F287g%2FparticipatingAgencies11142025pm.xlsx&wdOrigin=BROWSELINK>.

<sup>106</sup> ICE, Memorandum of Agreement, ICE, DHS & Florida Department of Highway Safety and Motor Vehicles, Division of Highway Patrol, 2 July 2025, [https://www.ice.gov/doclib/287gMOA/floridaHighwayPatrol\\_02.07.2025.pdf](https://www.ice.gov/doclib/287gMOA/floridaHighwayPatrol_02.07.2025.pdf).

<sup>107</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025; ICE, “Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act – 287(g) Participating Agencies” (previously cited).

<sup>108</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

people for purely immigration purposes.<sup>109</sup> The agreements divert local law enforcement resources away from community needs and safety.<sup>110</sup> Amnesty International considers that the 287(g) program's delegation of immigration enforcement authority to state and local law enforcement is resulting in clear violations of international human rights law and standards. Organizations interviewed by Amnesty International indicated that the majority of individuals detained for immigration reasons in Florida are interior enforcement pickups by ICE agents or local law enforcement agencies and who are then transferred to either state or ICE custody.<sup>111</sup>

Amnesty International also received information about discriminatory policing and targeted immigration enforcement in Florida, including racial profiling, especially against those perceived to be Latino, Black, Caribbean, or non-English speakers.<sup>112</sup> Racial profiling in particular constitutes an unlawful form of racial discrimination.<sup>113</sup> Moreover, arrests and detentions arising out of minor infractions, traffic stops or petty offenses, followed by ICE immigration holds, undermine proportionality standards under international human rights law and infringe upon due process protections.<sup>114</sup>

Florida's current immigration policies and enforcement practices create a climate of fear and have a chilling effect, dissuading people from accessing services. By deputizing local and state law enforcement officers to enforce immigration law, Florida law enforcement officers are engaging in racial profiling, targeting Black and Brown migrants and asylum seekers.<sup>115</sup> These policies and practices are inconsistent with the United States' international obligations to protect migrants' dignity, their right to liberty, ensure non-discrimination, safeguard access to basic services, and uphold due process guarantees. Moreover, the UN Special Rapporteur on the human rights of migrants has stated that "irregular entry or stay should never be considered criminal offenses ... irregular migrants are not criminals per se and should not be treated as such."<sup>116</sup> The UN Working Group on Arbitrary Detention has held that "criminalizing illegal entry into a country exceeds the legitimate interest of States to control and regulate irregular immigration and leads to unnecessary detention."<sup>117</sup> When a State criminalizes immigration, the public fears community engagement, sacrifices access to basic services like education, legal assistance and healthcare, and compromises public safety within its borders, underscoring the urgent necessity for policy reform and federal oversight grounded in the recognition of and respect for human rights of migrants and people seeking safety.

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<sup>109</sup> Florida Department of Law Enforcement, <https://www.fdle.state.fl.us/getContentAsset/618306c5-eff1-4928-bdaa-78b8eae375e7/73aabb56-e6e5-4330-95a3-5f2a270a1d2b/Sheriff-Bob-Gualtieri-Florida-Immigration-Presentation.pdf?language=en>; WESH, "Central Florida counties agree to have jail staff transport ICE detainees to facilities", 17 July 2025, <https://www.wesh.com/article/central-florida-jail-staff-transport-ice-detainees-to-facilities/65439084>; Detroit News, "To dodge federal rule, immigrants moved from Florida jails — and sometimes moved right back", 3 August 2025, <https://www.detroitnews.com/story/news/nation/2025/08/03/to-dodge-federal-rule-immigrants-moved-from-florida-jails-and-sometimes-moved-right-back/85498434007/>.

<sup>110</sup> Leadership Conference on Civil and Human Rights, "287g is Impacting Communities Across the United States: Here's What You Need to Know", 24 June 2025, <https://civilrights.org/resource/the-287g-program/#>.

<sup>111</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>112</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025.

<sup>113</sup> UN Committee on the Elimination of Racial Discrimination (CERD), General recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, 17 December 2020, UN Doc. CERD/C/GC/36, para. 18; UN Committee on the Elimination of Racial Discrimination (CERD), General Recommendation No. 30 on Discrimination Against Non-Citizens, 1 October 2024, UN Doc. CERD/C/64/Misc.11/Rev.3, paras. 7-10.

<sup>114</sup> UNWGAD, Revised Deliberation No. 5 (previously cited).

<sup>115</sup> Supreme Court of the United States, *Noem v. Vasquez Perdomo*, 606 U.S. (2025), [https://www.supremecourt.gov/opinions/24pdf/25a169\\_5h25.pdf](https://www.supremecourt.gov/opinions/24pdf/25a169_5h25.pdf).

<sup>116</sup> UN Special Rapporteur on the human rights of migrants, Report, 2 April 2012, UN Doc. A/HRC/20/24, para. 13.

<sup>117</sup> UNWGAD, Report, 10 January 2008, UN Doc. A/HRC/7/4, para. 53.

## VI. Immigration detention in Florida

In 2025, Florida became a focal point for the rapid expansion of immigration enforcement operations and consequently, immigration detention.<sup>118</sup> The state has historically detained individuals in ICE-owned facilities or state jails that are renting beds to ICE. In 2025, Florida also began constructing and operating state-owned immigration detention facilities.

Currently five ICE facilities in the State of Florida, along with beds in local and county jails that are rented by ICE, are used to hold individuals under ICE detention.<sup>119</sup> On 15 September 2025, the average daily population of individuals held in ICE detention in Florida was approximately 2,188.<sup>120</sup> This is compared with an average daily population of 1,479 individuals on 21 January 2025, representing a 47% increase in only eight months.

Organizations have indicated that the increase in the number of people in immigration detention in the state has “exacerbated historical patterns of abuse in the federal immigration detention system in Florida.”<sup>121</sup> From 2017 to 2024, 470 complaints were filed regarding abuses at immigration detention centers in Florida, including 328 complaints detailing misconduct or abuse by medical staff.<sup>122</sup> Of the at least 25 individuals that have died in ICE custody during the 2025 fiscal year, six died while detained in Florida, including four at Krome: Ramesh Amechand, Genry Ruiz Guillen, Maksym Chernyak and Isidro Pérez.<sup>123</sup> ICE states that all deaths trigger internal review procedures, but legal and human rights organizations and family members have expressed concern about transparency and accountability for deaths of detained individuals.<sup>124</sup>

*“The powers that be are absolutely profiting off of having as many people as possible [in detention]. We have had clients who have been begging to be deported but just keep getting transferred ... this is an infinite torture loop that focuses on the harm people are experiencing. People are dying. People are being tortured, people are being beaten, people are losing their humanity.”<sup>125</sup>*

In addition to ICE-owned detention facilities, in 2025, the State of Florida began opening state-owned and operated immigration detention facilities. The first of these facilities is “Alligator Alcatraz”, which opened in July 2025.<sup>126</sup> In August 2025, Governor DeSantis announced that the Baker Correctional Institution would serve as “Deportation Depot” with the capacity to detain more

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<sup>118</sup> HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited), p. 32.

<sup>119</sup> The five ICE facilities in the state of Florida are: Baker County Detention Center, Broward Transitional Center, FDC Miami, Glades County Detention Center and Krome North Service Processing Center. Individuals in ICE detention are also being held at these facilities: Collier County Naples Jail, JFT Camp Six, Lake County Jail, Orange County Jail, Pinellas County Jail and Walton County Jail. ICE, “Detention Facilities”, 25 June 2025, <https://www.ice.gov/detention-facilities>; TRAC, “Detention Facilities Average Daily Population”, 15 September 2025, <https://tracreports.org/immigration/detentionstats/facilities.html>.

<sup>120</sup> As of 15 September 2025, the average daily population of individuals held in ICE detention in Florida was: Baker County Sheriff Department (263 people), Miami Federal Detention (236 people), Collier County Naples Jail (18 people), Glades County Detention Center (133 people), JFT Camp Six (18 people), Krome North Service Processing Center (907 people), Lake County Jail (1 person), Orange County Jail (22 people), Pinellas County Jail (16 people), Broward Transitional Center (649 people) and Walton County Jail (80 people). TRAC, “Detention Facilities Average Daily Population” (previously cited).

<sup>121</sup> HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited), p. 32.

<sup>122</sup> ACLU of Florida, “Florida Immigrant Detention Database”, 29 February 2024, <https://public.tableau.com/app/profile/aclu.fl/viz/FLDetentionDatabase/database>.

<sup>123</sup> ICE, “Detainee Death Reporting” (previously cited); AILA, “Deaths at Adult Detention Centers” (previously cited); Congress of the United States, “Congressional Letter to DHS and ICE” (previously cited).

<sup>124</sup> ICE, “Detainee Death Reporting” (previously cited); ICE, ICE Directive 11003.5: Notification, Review and Reporting Requirements for Detainee Deaths, 25 October 2021, <https://www.ice.gov/doclib/detention/directive11003-5.pdf>; AILA, “Deaths at Adult Detention Centers” (previously cited); ACLU, DWN & NIJC, *Fatal Neglect: How ICE Ignores Deaths in Detention*, 2016, [https://www.aclu.org/wp-content/uploads/publications/fatal\\_neglect\\_acludwnnijc.pdf](https://www.aclu.org/wp-content/uploads/publications/fatal_neglect_acludwnnijc.pdf); Physicians for Human Rights, *Deadly Failures: Preventable Deaths in US Immigration Detention*, 25 June 2024, <https://phr.org/our-work/resources/deadly-failures-preventable-deaths-in-u-s-immigration-detention/>.

<sup>125</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>126</sup> *C.M. v. Noem*, Class Action Complaint for Declaratory and Injunctive Relief, Case No. 1:25-cv-23182, 16 July 2025, <https://www.courtlistener.com/docket/70814838/1/cm-v-noem/>, para. 1; CNN, “Alligator Alcatraz: What to know about Florida’s new controversial migrant detention facility”, 13 July 2025, <https://edition.cnn.com/2025/07/01/us/what-is-alligator-alcatraz-florida>.

than 1,300 individuals.<sup>127</sup> Florida plans to open additional state-run facilities.<sup>128</sup> Some will be located near airports which, according to state officials, will allow for “expedited processing and removal” of migrants and people seeking asylum.<sup>129</sup> In September 2025, Governor DeSantis announced that Florida was preparing for a third immigration detention facility, “Panhandle Pokey”, which would detain migrants and asylum seekers in the northern part of the state.<sup>130</sup> The rhetoric around newly constructed state-run facilities with catchy names in remote areas indicates that these facilities are being used as a deterrent to instill fear and intimidate migrants and people seeking safety.

#### **i. Transfers by Florida law enforcement agencies and prolonged use of shackles**

Through 287(g) agreements local and state law enforcement officers in Florida have been deputized to act as immigration agents allowing them to stop, arrest and detain people for ICE. The 287(g) Jail Enforcement Model (JEM) authorizes deputized local and state law enforcement officers to interrogate individuals who are in local or state custody to determine their migration status, and to issue immigration detainers.<sup>131</sup> The 287(g) Warrant Service Officer Model (WSO) authorizes deputized law enforcement officers to serve and execute administrative immigration warrants on people who are in their custody.<sup>132</sup>

An immigration detainer is a tool used by ICE when it has identified an individual who is in custody and who may be removable, and it issues a “detainer” instructing the state or local law enforcement agency to continue the detention of that individual for transfer into ICE custody.<sup>133</sup> Detainers instruct law enforcement agencies, such as jails, prisons or Sheriffs’ Departments, to hold individuals for up to 48 hours beyond the time that they otherwise should have been released – for example, when bail has been paid, when charges have been dropped, or when individuals have served their sentence – so that ICE can come and take the person into immigration custody.<sup>134</sup> Officers deputized under 287(g) agreements have the authority to issue immigration detainers themselves.<sup>135</sup> Significantly, detainers are only administrative “requests” and compliance with them is voluntary, in compliance with the Fourth Amendment of the US Constitution.<sup>136</sup>

Amnesty International was told that Florida law enforcement agencies are routinely holding individuals with immigration detainers for longer than 48 hours, as well as transferring individuals between local jails as a way of “resetting” the 48-hour clock, facilitating the detention of these individuals by ICE even though they should have been released.<sup>137</sup> One of the asylum seekers interviewed by Amnesty International at Krome explained that, before being placed in immigration detention, he had been in criminal custody.<sup>138</sup> He paid his bond and should have been moved to house arrest, however, an immigration detainer had been lodged against him. He remained in

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<sup>127</sup> Executive Office of the Governor, “Governor Ron DeSantis announces expansion of Florida’s capacity to detain and deport illegal aliens”, 14 August 2025, <https://www.flgov.com/eog/news/press/2025/governor-ron-desantis-announces-expansion-floridas-capacity-detain-and-deport>.

<sup>128</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025; The Phoenix Flyer, “State researching a third immigrant detention facility”, 2 September 2025, <https://floridaphoenix.com/briefs/state-researching-a-third-immigrant-detention-facility/>.

<sup>129</sup> Executive Office of the Governor, “Governor Ron DeSantis Announces Expansion of Florida’s Capacity to Detain and Deport Illegal Aliens” (previously cited).

<sup>130</sup> Florida Phoenix, “State researching a third immigrant detention facility” (previously cited).

<sup>131</sup> AIC, “The 287(g) Program: An Overview” (previously cited).

<sup>132</sup> AIC, “The 287(g) Program: An Overview” (previously cited).

<sup>133</sup> AIC, “Immigration Detainers: An Overview”, 2025, [https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/immigration\\_detainers\\_an\\_overview\\_0.pdf](https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/immigration_detainers_an_overview_0.pdf).

<sup>134</sup> AIC, “Immigration Detainers: An Overview” (previously cited).

<sup>135</sup> AIC, “The 287(g) Program: An Overview” (previously cited).

<sup>136</sup> AIC, “Immigration Detainers: An Overview” (previously cited).

<sup>137</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>138</sup> In-person interview with asylum seeker, 25 September 2025.



custody and even though 48 hours passed, he was not released. ICE picked him up at the 56-hour mark and took him to an immigration detention center.<sup>139</sup>

Amnesty International considers that under international law individuals who remain in custody because an immigration detainer has been lodged against them but otherwise should have been released, are being arbitrarily detained. This is because they should have already been released from criminal custody but continue to be held only so that ICE can take them into immigration custody. Moreover, Amnesty International considers that ICE is detaining individuals without a legitimate purpose when it detains people for whom deportation procedures have not yet been initiated or who are still in the midst of legal proceedings. Migration-related detention is only permissible under two narrowly defined circumstances: for the purpose of verifying an individual's identity or to prevent absconding. The risk of absconding must be assessed in relation to a removal procedure that has been initiated, is actively underway, and has a reasonable prospect of execution within an appropriate timeframe. Asylum seekers cannot be detained for the purpose of removal prior to a final determination of their asylum claim.

287(g) agreements can also authorize deputized local and state law enforcement officers to transfer individuals into ICE custody.<sup>140</sup> Organizations told Amnesty International that new 287(g) agreements in Florida have included transportation language allowing local and state law enforcement officers to transport migrants, asylum seekers and refugees.<sup>141</sup> This has included transportation between local jails, and from local jails to "Alligator Alcatraz".<sup>142</sup>

Amnesty International and other organizations have documented the use of shackles, routine overcrowding and the holding of individuals on buses for more than 24 hours while they are being transported by Florida law enforcement agencies.<sup>143</sup> Individuals interviewed by Amnesty International told the organization that they were shackled and held on buses for long periods of time when they were transferred from local jails to "Alligator Alcatraz".<sup>144</sup> Amnesty International's findings indicate that the use of restraints during these transfers is systematic, prolonged, and punitive, and is not based on individualized risk assessments. An asylum seeker explained that, when he was transferred to "Alligator Alcatraz", he "was held on a bus for 10 hours. My hands were shackled to my waist, and my feet were shackled as well. We weren't given any food the whole time we were on the bus."<sup>145</sup> Another asylum seeker said, "I was shackled and held on a bus for about 28 hours."<sup>146</sup> FLIC told Amnesty International that, "People were spending a whole night on a bus in shackles attached to the seat."<sup>147</sup>

*"At 10pm they took us out of the cells to the reception area. We were shackled at the waist, hands and feet. They made us sit on a metal bench for almost 24 hours until they finally put us on the bus. It was very cold; I was shaking. We couldn't sleep. They gave us only a little bit of*

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<sup>139</sup> In-person interview with asylum seeker, 25 September 2025.

<sup>140</sup> AIC, "The 287(g) Program: An Overview" (previously cited).

<sup>141</sup> Virtual interview with AIJ, 22 September 2025.

<sup>142</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>143</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025; HRW, AIJ & SOS, "You Feel Like Your Life Is Over" (previously cited); AIJ, *Report to U.N. Human Rights Council on Krome Detention Center Abuses*, 7 April 2025, <https://aijustice.org/wp-content/uploads/2025/04/AIJ-Krome-Detention-Center-Human-Rights-Violations-UPR-Submission.pdf>; MSN News, "ICE Forced Women to Poop on the Floor While Chained for Hours on Prison Bus: Report", <https://www.msn.com/en-us/news/us/ice-forced-women-to-poop-on-the-floor-while-chained-for-hours-on-prison-bus-report/ar-AA1Bz70J?apiversion=v2&noservercache=1&domshim=1&renderwebcomponents=1&wcseo=1&batchservertelemetry=1&noservertelemetry=1>.

<sup>144</sup> In-person interviews, Krome, 25 September 2025.

<sup>145</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>146</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>147</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.



*food. At 8pm the next day we were finally put on the bus. But the bus didn't actually leave until midnight or 1am. We weren't given any food or water on the bus."*<sup>148</sup>

*"I had pneumonia and was driving to my last doctor's appointment when ICE pulled me over near my house and arrested me. I was taken to the Walton County Jail where I was left in a cell by myself for three days. I needed medicine for my lung infection and was finally given some. I was then taken to Tallahassee. I was shackled and wasn't given water. I was then taken to "Alligator Alcatraz" on a Friday at around 9pm. I wasn't given any food or water. I was held on a bus from 9pm to 4am, shackled the whole time."*<sup>149</sup>

These accounts demonstrate that the use of shackles, combined with the deprivation of food and water, subjects individuals to unnecessary suffering during transport. Amnesty International finds that individuals were routinely shackled for long periods of time – sometimes for over 24 hours – during transport between local jails and from jails to "Alligator Alcatraz", which caused them both physical and psychological suffering.<sup>150</sup> The automatic and widespread use of shackles indicates they are used solely on the basis that individuals were detained for immigration reasons. International law and standards require that restraining measures can only be used when they are strictly necessary and proportionate.<sup>151</sup> Misuse of restraints will amount to torture or other cruel, inhuman or degrading treatment or punishment. Amnesty International concludes that the automatic, prolonged and indiscriminate shackling of individuals detained for immigration reasons during transfers is not a matter of operational security, but a deliberate form of humiliation and control that amounts to cruel, inhuman or degrading treatment, and in some cases, it may amount to torture or other ill-treatment.<sup>152</sup>

Public records and watchdog reports show that Florida has paid private vendors for charter flights and transportation services to move migrants and people seeking safety in the US, and that private contractors and private-equity-owned firms are major actors in the migrant transportation and detention ecosystem, creating financial incentives tied to increased transport and detention capacity.<sup>153</sup> Relying on private contractors and quickly issued emergency contracts can dilute accountability through lack of oversight, and creates perverse incentives where revenue depends on the volume of people being transferred or the number of people in detention. Private equity ownership of service providers has repeatedly been linked to cost-cutting and lower standards of care.<sup>154</sup>

## **ii. Misuse of ICE field offices and processing centers for prolonged detention**

Amnesty International received information about ICE's misuse of its field offices, processing centers and intake areas in detention facilities for prolonged detention in the state of Florida – which is routinely occurring across the United States.<sup>155</sup>

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<sup>148</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>149</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>150</sup> In-person interviews, Krome, 25 September 2025.

<sup>151</sup> Nelson Mandela Rules, Rules 47-48; UN, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 7 September 1990, <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-use-force-and-firearms-law-enforcement>, Principle 15.

<sup>152</sup> Past Amnesty International research has found that the expulsion of Haitian seeking safety in handcuffs and shackles from the US amounts to race and migrant-related torture under international human rights law. Amnesty International, "They didn't treat us like people": Race and migration-related torture and other ill-treatment of Haitians seeking safety in the USA (Index: AMR 36/5973/2022) 22 September 2022, <https://www.amnesty.org/en/documents/amr36/5973/2022/en/>, p. 58.

<sup>153</sup> Private Equity Stakeholder Project, *Revenue Over Refuge: Private Equity in Immigrant Detention*, December 2024, [https://pestakeholder.org/wp-content/uploads/2024/12/PESP\\_Report\\_Revenue\\_Refuge\\_2024.pdf](https://pestakeholder.org/wp-content/uploads/2024/12/PESP_Report_Revenue_Refuge_2024.pdf).

<sup>154</sup> Chishiro Matsumoto, Rui Monteiro, Isabel Rial & Ozlem Aydin Sakrak, "Mastering the Risky Business of Public-Private Partnerships in Infrastructure", 10 May 2021, International Monetary Fund, Volume 2021, Issue 010, <https://www.elibrary.imf.org/view/journals/087/2021/010/article-A001-en.xml>; Organization for Economic Cooperation and Development, *Fighting Corruption and Promoting Integrity in Public Procurement*, [https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/12/fighting-corruption-and-promoting-integrity-in-public-procurement\\_g1gh5f23/9789264014008-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/12/fighting-corruption-and-promoting-integrity-in-public-procurement_g1gh5f23/9789264014008-en.pdf).

<sup>155</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

ICE field offices, service-processing centers, and some port and federal-building field offices operate small holding or processing rooms intended for short-term intake, transfer, or processing of people detained by ICE. These rooms are not designed for extended stays, in the sense that they do not have beds and usually have limited sanitary facilities.<sup>156</sup> Historically, ICE standards limited hold-room confinement to short periods and required inspections, basic sanitation, access to water, food and healthcare, as well as access to counsel.<sup>157</sup> However, on 24 June 2025, ICE issued new guidance waiving the prior standard that limited hold-room stays to 12 hours. The new guidance allows field offices to detain individuals for up to 72 hours and implement related local procedures due to “limited transfer options” and “capacity constraints”.<sup>158</sup> This new guidance raises human rights concerns given that the prior 12-hour limit was put in place to reduce the risk of inhuman detention conditions, medical neglect and due process violations.

As a result of this new guidance, hold-rooms nationwide, including in New York, Baltimore, Chicago, Northern Virginia, and Florida, have been used for multi-day detention. People are being detained in hold-rooms in overcrowded and unsanitary conditions, including sleeping on concrete or foil blankets, limited or no access to showers, and inadequate access to counsel and healthcare.<sup>159</sup> In many cases, individuals are being held for over 72 hours.<sup>160</sup>

Organizations told Amnesty International that, throughout 2025, Krome has been operating at extreme capacity and consequently, people are being detained in intake areas of the facility for 72 hours or more.<sup>161</sup> The intake areas of the facility are not meant to hold individuals for more than a few hours; nevertheless, people have been detained there for days in overcrowded conditions, without consistent access to food, water, sanitation and legal counsel.<sup>162</sup>

Organizations at the Miramar Circle of Protection outside of the Miramar ICE Field Office told Amnesty International that the office is also now being used as a processing facility.<sup>163</sup> AFSC stated, “We’re now seeing people being detained and being brought to the field office for processing. We didn’t see that before. People are sometimes detained inside the office for over 24 hours.”<sup>164</sup> AFSC further indicated that individuals who are arrested at courthouses – which in September 2025 was occurring three to five times a day – are being brought to the Miramar ICE Field Office first for processing. The organization noted that it appears that individuals are then being moved to a detention facility a few days later. However, AFSC is unsure whether people are

<sup>156</sup> U.S. Senate Judiciary Committee, *What is it really like to be in ICE detention? Exclusive insights from two Florida immigration detention facilities*, 18 July 2025,

<https://www.judiciary.senate.gov/imo/media/doc/DURBIN%20REVEALS%20DEVASTATING%20INSIGHTS%20INTO%20FLORIDA%20ICE%20DETENTION%20FACILITIES%20IN%20EXCLUSIVE%20SITE%20VISIT.pdf>, p. 2; TRAC Immigration, “Immigration Detention Primer”, [https://tracreports.org/immigration/quickfacts/about\\_detention.html](https://tracreports.org/immigration/quickfacts/about_detention.html); El País, “Up to seven days in an ICE hold room: The new normal for detained migrants in the Trump era”, 10 September 2025, <https://english.elpais.com/usa/2025-09-10/up-to-seven-days-in-an-ice-hold-room-the-new-normal-for-detained-migrants-in-the-trump-era.html>.

<sup>157</sup> ICE, Performance-Based National Detention Standards 2011, Revised December 2016 (previously cited), Section 2.6.

<sup>158</sup> ICE, Nationwide Hold Room Waiver, 24 June 2025, <https://immpolicytracking.org/policies/ice-waives-the-12-hour-holding-cell-limit-allowing-detainees-to-be-held-for-72-hours/#/tab-policy-documents>.

<sup>159</sup> U.S. District Court for the District of Maryland Northern Division, *D.N.N. v. Baker, First Amended Class Action Complaint for Declaratory Relief, Complaint for Injunctive Relief, and Petition for Writ of Habeas Corpus*, Case No. 1:25-cv-1500, 9 May 2025, <https://amicacenter.org/app/uploads/2025/05/2-Amended-Class-Complaint.pdf>; HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited); ACLU, “District Court Grants Order Prohibiting ICE from Detaining Immigrants in Abusive Conditions at 26 Federal Plaza”, 17 September 2025, <https://www.aclu.org/press-releases/district-court-grants-order-prohibiting-ice-from-detaining-immigrants-in-abusive-conditions-at-26-federal-plaza>; CBS News, “Judge will issue court order on Broadview ICE facility; details, formal order to be issued Wednesday afternoon”, 4 November 2025, <https://www.cbsnews.com/chicago/news/broadview-ice-facility-hearing-conditions-detainees/>.

<sup>160</sup> *D.N.N. v. Baker*, 9 May 2025 (previously cited); HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited); ACLU, “District Court Grants Order Prohibiting ICE from Detaining Immigrants in Abusive Conditions at 26 Federal Plaza” (previously cited); CBS News, “Judge will issue court order on Broadview ICE facility; details, formal order to be issued Wednesday afternoon” (previously cited).

<sup>161</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025; CNN, “Immigrants spend days in ‘miserable’ ICE hold rooms, violating longstanding policy”, 8 September 2025, <https://edition.cnn.com/2025/09/08/us/detainees-ice-immigrants-hold-rooms>.

<sup>162</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025; CNN, “Immigrants spend days in ‘miserable’ ICE hold rooms”, (previously cited).

<sup>163</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>164</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

being held inside the field office the entire time or if updates to the ICE Detainee Locator are delayed and individuals are actually being transferred to detention facilities more quickly.<sup>165</sup>

Migrants and people with pending asylum claims must report to the Miramar ICE Field Office for regular check-ins with ICE. AFSC told Amnesty International that under the Biden administration it was more common for individuals to attend their regular check-ins and be released with an ankle monitoring bracelet, however, under the Trump administration, people are regularly being detained at their regular check-ins – something that is occurring across the United States.<sup>166</sup> “We’ve been following individuals who have disappeared at the ICE Office; individuals who had their ICE check-ins and didn’t come out,” stated AFSC.<sup>167</sup> AFSC also indicated that individuals are being pressured during their check-ins to buy plane tickets and “self-deport”, and that sometimes ICE transports people directly from the field office to the Miami airport.<sup>168</sup>

Amnesty International was told that individuals experience “racism and mistreatment” during their check-ins. A man seeking asylum shared, “The officers inside the facility yell at us. They have little patience, and they treat older people poorly. The situation feels tense. There’s a lot of fear. The officers are doing more thorough revisions of people than before.”<sup>169</sup> AFSC also spoke of the impacts on the mental health and wellbeing on migrants and people seeking safety, noting that individuals have suffered heart attacks inside the office after being told that they are going to be detained or deported.<sup>170</sup> In some cases, children waiting outside for their parents have been left abandoned when their parents were detained during their check-in.<sup>171</sup>

*“There are people who attend the office and find out that they have a deportation order. Their cars are towed from the facility. They only have one call to make to their family.”<sup>172</sup>*

### **iii. Situation at the Everglades Detention Facility (“Alligator Alcatraz”)**

*“It’s a copy of Guantánamo. The conditions are inhuman. We’re kidnapped there; it’s illegal. It doesn’t belong to ICE.”<sup>173</sup>*

The Everglades Detention Facility, also known as “Alligator Alcatraz”, opened in July 2025, with the capacity to detain around 3,000 people.<sup>174</sup> The facility is located within the Everglades, a fragile ecosystem and one of Florida’s most ecologically sensitive areas.<sup>175</sup>

President Trump celebrated the facility’s opening stating, “We’re going to teach [migrants] how to run away from an alligator if they escape prison ... The only way out, really, is deportation.”<sup>176</sup> The Florida Republican Party tweeted, “Florida’s gator-guarded prison for illegal aliens. Surrounded by swamps and pythons, it’s a one-way ticket to regret”.<sup>177</sup>

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<sup>165</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>166</sup> Visit to Miramar Circle of Protection, Miramar ICE Field Office, 24 September 2025; AFSC, “Building community outside an ICE facility” (previously cited).

<sup>167</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>168</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>169</sup> Visit to Miramar Circle of Protection, in-person interview with asylum seeker, 24 September 2025.

<sup>170</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>171</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>172</sup> Visit to Miramar Circle of Protection, in-person interview with AFSC, Miramar ICE Field Office, 24 September 2025.

<sup>173</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>174</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 1.

<sup>175</sup> NWF Blog, “8 Facts You Didn’t Know About America’s Everglades – And Why We Must Restore this Incredible Place”, 18 February 2020, <https://blog.nwf.org/2019/12/8-facts-you-didnt-know-about-americas-everglades-and-why-we-must-restore-this-incredible-place/>; The Nature Conservancy, “Protecting The Everglades”, 27 July 2022, <https://www.nature.org/en-us/about-us/where-we-work/united-states/florida/stories-in-florida/everglades/>.

<sup>176</sup> AP, “Trump Tours Florida Immigration Lockup and Jokes about Escapees Having to Run from Alligators”, 1 July 2025, <https://apnews.com/article/trump-everglades-immigrant-detention-facility-visit-5dc5568ec15534947c29c9149b773d1d>.

<sup>177</sup> Florida GOP, X post: “Feds approve Alligator Alcatraz: Florida’s gator-guarded prison for illegal aliens”, 27 June 2025, <https://x.com/FloridaGOP/status/1938582187172860197>.

“Alligator Alcatraz” is a new type of immigration detention facility that is being operated and paid for by the State of Florida, rather than the federal government. H.R.1 provides \$3.5 billion USD for state and local cooperation with ICE.<sup>178</sup> In October 2025, federal officials approved a \$608 million USD reimbursement to the state of Florida for the costs of building and operating “Alligator Alcatraz”.<sup>179</sup> According to both state and federal officials, the State of Florida exercises “complete discretion” over operations and over who is detained at the facility.<sup>180</sup>

A lawsuit filed by the Miccosukee Tribe and environmental groups in June 2025, which argued that construction and operation of the facility would cause irreparable damage to the surrounding wetland, resulted in a court ordering that the facility be shut down within 60 days.<sup>181</sup> Following that decision, Florida authorities transferred a large number of people out of the facility.<sup>182</sup> However, the Eleventh Circuit Court of Appeals reversed that order resulting in a resumption of the facility’s operations, individuals being transferred back to “Alligator Alcatraz”, and continued construction on planned expansion of the facility.<sup>183</sup>

In August 2025, a group of organizations filed a federal lawsuit challenging the State of Florida’s authority to detain people at “Alligator Alcatraz”, arguing that Congress requires ICE to maintain federal custody and control over individuals detained for immigration purposes, and it has imposed stringent requirements for deputizing state officers to help with removal efforts.<sup>184</sup>

“Alligator Alcatraz” sets a dangerous precedent for how states can partner with the federal government to expand the reach of its mass detention and deportation machine. The establishment and operation of “Alligator Alcatraz” represents a deliberate policy choice to use isolation, humiliation, and environmental exposure as instruments of deterrence. Its remote and environmentally sensitive location, coupled with the State of Florida’s full operational discretion, has created a detention regime functionally beyond federal oversight and accountability.

Amnesty International interviewed four individuals who had been detained at “Alligator Alcatraz” for between two weeks and one month in July and August 2025, two of whom arrived only a few days after the facility opened.<sup>185</sup> Two of the individuals were arrested by ICE – one at a prejudicial traffic stop<sup>186</sup> –, and the other two should have been released from criminal custody but were taken into immigration custody. Two of the men had pending asylum claims, meaning that they should not be in immigration detention. All four men described inhuman, unsanitary and cruel conditions at the facility. The testimonies gathered by Amnesty International reveal conditions that collectively

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<sup>178</sup> AIC, “What’s in the Big Beautiful Bill?” (previously cited).

<sup>179</sup> Circuit Court of the Second Judicial Circuit and for Leon County, Florida, Circuit Civil Division, *Friends of the Everglades, Inc. v. Florida Division of Emergency Management*, Complaint for Accelerated Declaratory Relief and Writ of Mandamus under Florida Public Records Law, 14 October 2025, <https://earthjustice.org/wp-content/uploads/2025/10/public-records-complaint-everglades-detention-center.pdf>, para. 19 & 27; AP, “Feds approve Florida for a \$608 million ‘Alligator Alcatraz’ reimbursement”, 3 October 2025, <https://apnews.com/article/florida-immigration-alligator-alcatraz-federal-officials-8a7fce9f41aff8f6d32865db425afca0>; Miami Herald, “DHS approves Florida’s \$608 million request to pay for ‘Alligator Alcatraz’”, 5 October 2025, <https://www.miamiherald.com/news/local/immigration/article312370946.html>; Tallahassee Democrat, “Feds pay Florida \$608M for ‘Alligator Alcatraz’ day before government shutdown”, 2 October 2025, <https://www.tallahassee.com/story/news/local/state/2025/10/02/feds-reimburse-florida-608-million-for-alligator-alcatraz/86485964007/>.

<sup>180</sup> *M.A. v. Guthrie*, Petition for Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief, Case 2:25-cv-00765, 22 August 2025, <https://www.courtlistener.com/docket/71181573/1/ma-v-guthrie-collier-county/>, para. 46.

<sup>181</sup> *Friends of the Everglades, Inc. & Center for Biological Diversity v. Noem*, Complaint for Declaratory and Injunctive Relief, 1:25-cv-22896, 27 June 2025, <https://www.courtlistener.com/docket/70650763/1/friends-of-the-everglades-inc-v-noem/>; United States District Court Southern District of Florida, *Friends of the Everglades, Inc. & Center for Biological Diversity v. Noem*, Omnibus Order, 21 August 2025, <https://www.courtlistener.com/docket/70650763/131/friends-of-the-everglades-inc-v-noem/>, pp. 80-81.

<sup>182</sup> CBS News, “Trump admin. moving detainees out of ‘Alligator Alcatraz’ after judge orders facility operations to wind down”, 28 August 2025, <https://www.cbsnews.com/news/trump-admin-moving-detainees-alligator-alcatraz-judge-florida/>.

<sup>183</sup> United States Court of Appeals for the Eleventh Circuit, *Friends of the Everglades, Inc. & Center for Biological Diversity v. Noem*, Order of the Court, No. 25-12873, 4 September 2025, <https://biologicaldiversity.org/docs/regions/Florida-and-Caribbean/2025.09.04-Order-granting-Motions-to-Stay-08.21.25-detention-center-injunction.pdf>. The litigation is ongoing.

<sup>184</sup> *M.A. v. Guthrie*, 22 August 2025 (previously cited). The litigation is ongoing.

<sup>185</sup> In-person interviews, Krome, 25 September 2025.

<sup>186</sup> A prejudicial traffic stop generally refers to a situation where law enforcement stops a driver or vehicle based on bias or prejudice rather than a legitimate legal reason.

amount to cruel, inhuman, or degrading treatment, and in some instances may amount to torture or other ill-treatment.

- **Inhuman and unsanitary detention conditions**

Under the International Covenant on Civil and Political Rights (ICCPR), people are protected from arbitrary detention and from cruel, inhuman, or degrading treatment.<sup>187</sup> The UNHCR Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention (UNHCR Detention Guidelines) establish that conditions of detention for asylum seekers, if detained, must be humane and dignified.<sup>188</sup> Further, the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), which are applicable to immigration detention by analogy, require that areas where detained individuals are kept be always maintained and clean, and that due regard must be paid to climatic conditions including air, minimum floor space, lighting, heating and ventilation.<sup>189</sup> Failure to abide by these guidelines is likely to violate the United States' obligations under international human rights law, including the prohibition of torture or other cruel, inhuman or degrading treatment or punishment.<sup>190</sup>

While DHS has publicly denied the existence of inhuman detention conditions at “Alligator Alcatraz”, Florida Governor DeSantis has expressed that the facility’s conditions are intentional stating that, “You’ll have a lot of people that will deport on their own because they don’t want to end up in an ‘Alligator Alcatraz’”.<sup>191</sup>

Individuals who had been detained at “Alligator Alcatraz” and Florida-based organizations reported unsanitary, substandard conditions at the facility to Amnesty International, including unhygienic facilities, poor quality food, extreme temperatures, permanent lighting, and limited access to clean water.<sup>192</sup> Individuals detained at “Alligator Alcatraz” are confined in large metal cages under large plastic tents, each holding up to 32 people and surrounded by chain-link fencing and barbed wire.<sup>193</sup> The men interviewed by Amnesty International said that they were confined to the cages for the majority of the day, only leaving them to eat. They were shackled whenever they left the cages. They were only given around 20 minutes of outdoor access a day but often went days without being allowed outside. The lights remain on permanently, and frequent power outages disrupt ventilation and air conditioning, creating alternating periods of extreme heat and cold.<sup>194</sup> Flooding is common, and the men reported exposure to insects and mosquitos without any protective measures.<sup>195</sup>

*“We’re locked up in 1000 ft<sup>2</sup> cages. There are 32 people in each cage, and 8 cages inside the tent. The lights are like stadium lights; they’re always on, they’re never turned off or even dimmed. It’s very cold, the air conditioning is very strong. There are a lot of mosquitos.”*<sup>196</sup>

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<sup>187</sup> ICCPR, Articles 7 & 9.

<sup>188</sup> UNHCR, Detention Guidelines (previously cited), Guideline 8.

<sup>189</sup> Nelson Mandela Rules (previously cited), Rules 12-23, 74-82.

<sup>190</sup> Convention against Torture, Articles 1 & 16; ICCPR, Article 7.

<sup>191</sup> DHS, “DHS Debunks “Alligator Alcatraz” Hoaxes”, 14 August 2025, <https://www.dhs.gov/news/2025/08/14/dhs-debunks-alligator-alcatraz-hoaxes>; The American Presidency Project, “Remarks With Governor Ronald D. DeSantis of Florida Upon Arrival at the Migrant Detention Facility and an Exchange With Reporters in Ochopee, Florida”, 1 July 2025, <https://www.presidency.ucsb.edu/documents/remarks-with-governor-ronald-d-desantis-florida-upon-arrival-the-migrant-detention>; *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 50.

<sup>192</sup> In-person interviews, Miami, Florida, 22, 24 & 25 September 2025.

<sup>193</sup> Virtual & in-person interviews, Miami, Florida, 22, 24 & 25 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), paras. 24 & 53.

<sup>194</sup> In-person interviews, Miami, Florida, 25 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 53. Temperatures in the Florida everglades range from 16 to 35 Celsius (61 to 95 Fahrenheit), with temperatures in July and August ranging from 25 to 35 Celsius (78 to 95 Fahrenheit). National Park Service, “Everglades National Park Florida”, <https://www.nps.gov/ever/planyourvisit/weather.htm>.

<sup>195</sup> In-person interviews, Miami, Florida, 25 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 53.

<sup>196</sup> In-person interview with asylum seeker, Krome, 25 September 2025.



*"We didn't have access to any sort of media. There are no televisions or newspapers. We didn't have the ability to practice our religion; there are no bibles. We were locked up in the cages for almost 24 hours a day. We couldn't have any visits, not even our lawyers or family members."*<sup>197</sup>

Each cage has three toilets which are located out in the open with no privacy. The men interviewed said that the toilets often clog or overflow which causes fecal matter to seep into the area where people are sleeping.<sup>198</sup> There have been multiple reports of people having to unclog the toilets with their hands.<sup>199</sup> Access to showers is also limited. A migrant said he was not given the opportunity to shower for over two weeks at the facility. All the men Amnesty International spoke with stated that they were often woken up in the middle of the night by guards to shower and that the water was often very cold or very hot.<sup>200</sup>

*"There are three toilets in each cage. There's no privacy; there are cameras above the toilets. The toilets were clogged a lot and shit overflowed from them. I saw a big snake. A friend was bitten by a spider that laid eggs inside of him."*<sup>201</sup>

Individuals who had been detained at "Alligator Alcatraz" said that the food was of poor quality.<sup>202</sup> They were only given 15 minutes to eat each meal and often went for long periods of time without food.<sup>203</sup> They were not allowed food in the cages. Florida-based organizations have reported that, "food portions are extremely small, sometimes full of maggots, and detainees suffer from frequent hunger."<sup>204</sup> The individuals that Amnesty International spoke with also said that the water they were given to drink smelt bad.<sup>205</sup> An asylum seeker said that once he opened up the jug of water that was in the cage he was in and there was a large insect inside.<sup>206</sup>

*"The food is dirty; I've found hair in it. The lights are always on. The water smells bad."*<sup>207</sup>

Each cage has a telephone from which individuals can make collect telephone calls to their families and legal representatives.<sup>208</sup> Even though there are telephones located in the cages, Amnesty International was told that access to them is limited and that individuals are not able to use them for longer than 15 minutes.<sup>209</sup>

*"It's terrifying what happened in the Everglades concentration camp over the summer. Individuals were kept outside, restrained, and left to the mosquitoes, which carry diseases. They were kept in cages without sufficient access to basic amenities. The toilets were overflowing, and they were only allowed to shower once a week, if that. The conditions are terrible."*<sup>210</sup>

Detention conditions at "Alligator Alcatraz", marked by overcrowding, unsanitary facilities, and constant illumination, as well as the deprivation of adequate food, safe drinking water and hygiene, violate the human rights of those detained at the facility in stark contravention of international

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<sup>197</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>198</sup> In-person interviews, Krome, 25 September 2025.

<sup>199</sup> Virtual & in-person interviews, Miami, Florida, 22, 24 & 25 September 2025; The Washington Post, "Inside "'Alligator Alcatraz',' detainees report relentless mosquitoes, limited water", 17 July 2025, <https://www.washingtonpost.com/nation/2025/07/16/alligator-alcatraz-conditions/>; Miami Herald, "Giant bugs, heat and a hospital visit: Inside Alligator Alcatraz's first days", 9 July 2025, <https://www.miamiherald.com/news/local/immigration/article310130645.html>.

<sup>200</sup> In-person interviews, Krome, 25 September 2025.

<sup>201</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>202</sup> In-person interviews, Krome, 25 September 2025.

<sup>203</sup> In-person interviews, Krome, 25 September 2025.

<sup>204</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 54.

<sup>205</sup> In-person interviews, Krome, 25 September 2025.

<sup>206</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>207</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>208</sup> In-person interviews, Krome, 25 September 2025.

<sup>209</sup> In-person interviews, Miami, Florida, 22, 24 & 25 September 2025.

<sup>210</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.



human rights law and standards.<sup>211</sup> These conditions reflect a pattern of deliberate neglect designed to dehumanize and punish those detained at “Alligator Alcatraz” with the aim of making their detention unbearable and forcing them to turn to the countries of origin or third countries.

▪ **Inadequate and inaccessible medical care**

The UNHCR Detention Guidelines require that appropriate medical treatment is provided.<sup>212</sup> The Nelson Mandela Rules require that detention facilities have in place a healthcare service tasked with “evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special healthcare needs or with health issues that hamper their rehabilitation.”<sup>213</sup> This is echoed in the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas.<sup>214</sup>

Access to medical care at “Alligator Alcatraz” is inconsistent, inadequate, of poor quality and frequently denied altogether.<sup>215</sup> Amnesty International’s findings indicate a routine denial of access to medical care and failure to fulfil individual’s physical and mental health needs, placing individuals at serious risk of harm. Individuals who reported pain or illness were routinely ignored by facility staff, and medical treatment, when provided, was delayed or substandard.<sup>216</sup> Amnesty International was told that if someone was experiencing a medical emergency, the only way was for those detained to yell at the guards to come and provide attention.<sup>217</sup> A man seeking asylum said, “Everyone detained at the facility got sick. We received bad treatment when we asked for medicine.”<sup>218</sup> An asylum seeker shared the story of a Mexican man who was diabetic and detained with him at “Alligator Alcatraz”. According to his testimony, the man went five days without receiving his medication and eventually had to be taken to the hospital.<sup>219</sup> SOS shared the story of one of their clients who was not receiving any medical attention despite repeatedly saying that he was in pain.<sup>220</sup> It took their client waking up one day covered in blood for him to finally be transferred to a hospital.<sup>221</sup> A representative from the organization shared, “The conditions inside are so terrible. The medical neglect is terrifying. When [the guards] hear folks complaining about medical issues it’s for the most part met with anger, resentment, force.”<sup>222</sup> Individuals who had been detained at “Alligator Alcatraz” stated that people were shackled any time they were taken to the medical area of the facility and also while they were receiving medical treatment.<sup>223</sup>

*“Someone in my cage passed out. We were yelling at the guards for help. The guards came in and pushed a bunch of people to the ground. They took the man out on a stretcher.”<sup>224</sup>*

*“I’m asthmatic and use a puffer. I was detained at Alcatraz for 11 days and was never given one. I suffered a lot with the changes from hot to cold because the power was constantly going out. The medical area doesn’t work. People didn’t receive their medication. If they needed medication at 8pm, they would get it at 2 in the morning.”<sup>225</sup>*

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<sup>211</sup> Convention against Torture, Articles 1 & 16; ICCPR, Article 7; Nelson Mandela Rules (previously cited), Rules 13, 35, 42 & 43; Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, Principle XII.

<sup>212</sup> UNHCR, Detention Guidelines (previously cited), Guideline 8.

<sup>213</sup> Nelson Mandela Rules (previously cited), Rules 24-35.

<sup>214</sup> Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, Principle X.

<sup>215</sup> In-person interviews, Miami, Florida, 22, 24 & 25 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 55.

<sup>216</sup> Virtual & in-person interviews, 22, 24 & 25 September 2025.

<sup>217</sup> In-person interviews, Krome, 25 September 2025.

<sup>218</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>219</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>220</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>221</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>222</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>223</sup> In-person interviews, Krome, 25 September 2025.

<sup>224</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>225</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

Amnesty International interviewed a migrant who had pneumonia when he was arrested by ICE and who suffered severe health-related complications while he was detained at “Alligator Alcatraz”, including to the point where he was unable to stand or walk to the bathroom without assistance. He was shackled anytime he was taken to the medical area of the facility and even while receiving medical treatment. Following a visit by his consulate, he said medical attention “slightly improved” in the sense that he began receiving his medication every two days as opposed to every four days.<sup>226</sup> However, any treatment he received – when he did receive it – was only to manage the pain he was experiencing and was not long-term treatment or care.<sup>227</sup>

*“It got to the point where I couldn’t even stand up because of the pain in my back, lungs and kidneys. I couldn’t even go to the bathroom. Sometimes I was taken to the medical area, but I was shackled the whole time. I eventually was taken to a hospital in Kendall and found out that I had kidney stones and back inflammation. I was given some pills and patches for my back but was sent back to “Alligator Alcatraz” that same day. There I asked for the pills and patches, but they weren’t given to me. I had to ask other people in my cell if they could help lift me up and walk me to the toilet so I could go to the bathroom. I asked for a walker but was told I couldn’t have one. I urinated myself several times because I was embarrassed to always be asking others for help. I felt humiliated.”<sup>228</sup>*

An asylum seeker interviewed by Amnesty International said he was bitten by a spider while detained at “Alligator Alcatraz”.<sup>229</sup> The bite became infected, however, he did not receive any treatment for it. The man was later transferred to Krome where he ended up having emergency surgery. He told Amnesty International that he did not know what type of medical procedure he underwent and recounted that he was not given any papers to sign or explanation about the surgery.<sup>230</sup>

The testimonies gathered by Amnesty International, coupled with the reports from organizations, strongly indicate that medical neglect at “Alligator Alcatraz” is widespread and routine, rather than isolated or exceptional. The denial of access to medical care amounts to ill-treatment in violation of the prohibition of torture or other cruel, inhuman or degrading treatment or punishment.

Organizations and individuals previously detained at “Alligator Alcatraz” reported that people have allegedly died while detained at the facility.<sup>231</sup> Two men interviewed by Amnesty International said that deaths allegedly occurred while they were detained at the facility.<sup>232</sup> A man seeking safety stated that three people were taken out of the cage he was in on stretchers and he did not know what happened to them.<sup>233</sup>

*“When I was at “Alligator Alcatraz”, someone died. I heard a lot of screaming. But there’s no way to know what actually happened to the person because we’re not registered in ICE’s system.”<sup>234</sup>*

In accordance with the Florida Model Jail Standards, detention centers in Florida, including “Alligator Alcatraz”, must produce written reports of any deaths, serious illnesses or serious injuries

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<sup>226</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>227</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>228</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>229</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>230</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>231</sup> Virtual & in-person interviews, 22, 24 & 25 September 2025; Prism Reports, “Medical emergency at Florida’s ‘Alligator Alcatraz’ highlights systemic neglect, advocates say”, 18 August 2025, <https://prismreports.org/2025/08/18/alligator-alcatraz-medical-neglect/>; The New York Times, “At ‘Alligator Alcatraz,’ Did a Detainee Just Faint or Need CPR?”, 8 August 2025, <https://www.nytimes.com/2025/08/08/us/alligator-alcatraz-detainees-medical-treatment.html>.

<sup>232</sup> In-person interviews, Krome, 25 September 2025.

<sup>233</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>234</sup> In-person interview with migrant, Krome, 25 September 2025.

that occur.<sup>235</sup> Similarly, international standards require written records to be kept of fatalities.<sup>236</sup> Facilities also have the requirement to notify next of kin in cases of life-threatening illness, injury or death.<sup>237</sup> Amnesty International has not been able to ascertain whether Florida authorities have produced any reports of deaths at “Alligator Alcatraz”. The organization asked the Florida Division of Emergency Management about this but did not receive a response.

▪ **Extreme forms of punishment and torture: the ‘box’**

Amnesty International considers that individuals at “Alligator Alcatraz” are being subjected to cruel, inhuman or degrading treatment or punishment, which may amount to torture. Individuals who had been detained at the facility shared that they experienced verbal and/or physical abuse, as well as racist and discriminatory comments, from guards. “The guards would bang on the cages and yell at us,” said a migrant.<sup>238</sup> A man seeking asylum stated that the guards were constantly trying to provoke people. He said that they often insulted him and called him a “worm”.<sup>239</sup> FLIC stated that individuals detained at the facility have been beaten and insulted.<sup>240</sup> Verbal abuse, racial slurs and physical violence by guards create an atmosphere of terror and humiliation. A migrant who was suffering from severe back pain and kidney stones said that guards at the facility were constantly making fun of him, including laughing at him while he was hospitalized at a hospital in Kendall for seven days.<sup>241</sup>

*“I was taken to the hospital in Kendall. There were three guards around me at all times, and I was handcuffed the whole time. At one point, my wife, who had no idea where I was being detained, appeared on tv. The guards realized that she was my wife and changed the channel. They laughed at me, and one said, ‘This is what you were looking for when you came to the US’”.*<sup>242</sup>

*“There was a man from Venezuela who had digestion problems and so they gave him more time to eat. But one time a guard pushed and hit him for taking too long to eat. The guards are constantly trying to provoke you. They want to try to ‘prove’ that we’re ‘criminals’.”*<sup>243</sup>

Individuals detained at “Alligator Alcatraz” are shackled any time they are removed from the cages, including to eat or receive medical care.<sup>244</sup> The use of shackles on everyone, including during mealtimes and medical care, amounts to cruel, inhuman or degrading treatment, and may amount to torture.

According to the men interviewed by Amnesty International, individuals detained at “Alligator Alcatraz” may face arbitrary disciplinary action and punishment.<sup>245</sup> According to the Nelson Mandela Rules, disciplinary action must be necessary and proportionate, and sanctioned individuals must be granted the opportunity to defend themselves against allegations.<sup>246</sup> Moreover,

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<sup>235</sup> The Florida Model Jail Standards are minimum standards which jails across Florida must meet to ensure that the human rights of those in detention are upheld. Florida Model Jail Standards, 1 January 2025, [https://flsheriffs.org/wp-content/uploads/2024/05/Florida-Model-Jail-Standards\\_2025.pdf](https://flsheriffs.org/wp-content/uploads/2024/05/Florida-Model-Jail-Standards_2025.pdf), Chapter 5.6.

<sup>236</sup> Nelson Mandela Rules (previously cited), Rules 8(f) & 69.

<sup>237</sup> Florida Model Jail Standards (previously cited), Chapter 9.2.f.

<sup>238</sup> In-person interviews, Krome, 25 September 2025.

<sup>239</sup> In-person interview with asylum seeker, Krome, 25 September 2025. The term “worm” is a derogatory term used to refer to Cubans in exile or Cuban dissidents.

<sup>240</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

<sup>241</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>242</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>243</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>244</sup> In-person interviews, Krome, 25 September 2025.

<sup>245</sup> In-person interviews, Krome, 25 September 2025.

<sup>246</sup> Nelson Mandela Rules (previously cited), Rules 36-46.

disciplinary measures should only be used as a last resort. Only conduct likely to constitute a threat to good order, safety or security may be defined as a disciplinary offence.<sup>247</sup>

The four men interviewed by Amnesty International, as well as Florida-based organizations, told the organization about the ‘box’, a 2x2 foot cage-like structure located outside in the yard of “Alligator Alcatraz” where individuals are sent for punishment.<sup>248</sup> Individuals are put in the ‘box’, their hands are shackled and their feet are attached to restraints on the ground. They are unable to sit down or move positions, and are forced to remain there for hours in the heat with hardly any water or protection from the sun, heat and insects.<sup>249</sup> According to a man seeking safety, “People ended up in the ‘box’ just for asking the guards for anything. I saw a guy who was put in it for an entire day.”<sup>250</sup>

*“There was a ‘box’ outside that was used to punish people. One time, two people in my cell were calling out to the guards telling them that I needed my medication. Ten guards rushed into the cell and threw them to the ground. They were taken to the ‘box’ and punished just for trying to help me. Any time that anyone demanded that our rights be respected, they were punished.”<sup>251</sup>*

*“They call it ‘the box’ at Everglades ... it’s a box outside ... exposed to the South Florida sun and humidity, and exposed to mosquitos, that is said to be used as a punishment.”<sup>252</sup>*

According to Article 1(1) of the UN Convention against Torture, an act constitutes torture if four elements are present: (1) intention, (2) infliction of severe physical or mental pain or suffering, (3) a purpose such as coercion, intimidation, obtaining information or a confession, or discrimination and (4) a degree of official involvement.<sup>253</sup> State agents at “Alligator Alcatraz” use the ‘box’ as a form of punishment. The conditions of the ‘box’ – an extremely small space that prevents sitting, lying or changing position –, combined with high temperatures and humidity levels, and the deprivation of water, sanitation and protection from harsh weather conditions and insects, would likely cause severe physical and psychological pain and suffering.<sup>254</sup> Amnesty International considers that the use of the ‘box’ as a form of punishment at “Alligator Alcatraz” constitutes torture.

#### ▪ A system of arbitrary detention that lacks transparency and oversight

Amnesty International is concerned that Florida authorities have created an arbitrary detention regime outside federal regulations and oversight. “Alligator Alcatraz” is the first state-owned and operated immigration detention facility in the United States. Consequently, not only is there no federal oversight of the facility, it is also not integrated into ICE’s systems and databases. Normally, the location of individuals detained for immigration-related reasons is available on ICE’s Online Detainee Locator System.<sup>255</sup> However, because “Alligator Alcatraz” is a state-run facility, individuals detained there are not registered in the ICE locator upon their arrival at the detention center. They are also not registered in any public database where their families and lawyers can search for and confirm their whereabouts. This means that there is no official record of their

<sup>247</sup> Amnesty International, *Combating Torture and Other Ill-Treatment: A Manual for Action* (Index: POL 30/4036/20216), 11 November 2016, <https://www.amnesty.org/en/documents/pol30/4036/2016/en/>, p. 224.

<sup>248</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025; NPR, “An ICE facility in the Everglades is under scrutiny for the treatment of detainees”, 26 July 2025, <https://www.npr.org/2025/07/26/nx-s1-5479105/an-ice-facility-in-the-everglades-is-under-scrutiny-for-the-treatment-of-detainees>; WLRN, “‘They chained me to the ground’: Detainees at ‘Alligator Alcatraz’ allege harsh punishment by guards”, 22 July 2025, <https://www.wlrn.org/immigration/2025-07-22/alligator-alcatraz-detainee-punishments>.

<sup>249</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025.

<sup>250</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>251</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>252</sup> Virtual interview with AIJ, 22 September 2025.

<sup>253</sup> Convention against Torture, Article 1(1).

<sup>254</sup> Amnesty International has consulted two medical experts who have confirmed that the level of pain and suffering caused by the ‘box’ is likely to be severe.

<sup>255</sup> ICE, “Online Detainee Locator System”, <https://locator.ice.gov/odls/#/search>; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 66.

detention and no way to track where they are being detained.<sup>256</sup> “Alligator Alcatraz” also does not appear on the State of Florida’s list of correctional facilities.<sup>257</sup> An asylum seeker told Amnesty International that he was not registered in any system for over 10 days.<sup>258</sup> The absence of registration or tracking mechanisms for those detained at “Alligator Alcatraz” facilitates incommunicado detention. Amnesty International considers that detention at “Alligator Alcatraz” constitutes an enforced disappearance when the whereabouts of a person being detained there is denied to their family, and they are not allowed to contact their lawyer.<sup>259</sup>

The State of Florida has not publicly confirmed the number of people detained at “Alligator Alcatraz” nor their identities.<sup>260</sup> Organizations shared that no one knows how many people are actually currently detained at the facility.<sup>261</sup> This lack of official public registration makes it extremely difficult for lawyers and family members of those detained at the facility to know that they are being held there.<sup>262</sup> According to a lawsuit filed against DHS, “attorneys have attempted to confirm the location of clients reported to be detained at the “Alligator Alcatraz” facility via ICE’s online detainee locator, which has produced either no result, or an instruction to call the Krome North ICE Processing Center in Miami. Staff at Krome have stated they have no information as to how attorneys can communicate with clients at “Alligator Alcatraz”.”<sup>263</sup>

*“We were like ghosts there. We were kidnapped.”<sup>264</sup>*

*“People are being administratively disappeared.”<sup>265</sup>*

As a state owned and operated facility, “Alligator Alcatraz” does not have to comply with ICE detention standards. However, the facility must comply with the Florida Model Jail Standards and can be penalized for non-compliance with those standards.<sup>266</sup> One of the men interviewed by Amnesty International who arrived at the facility on July 5 – just a few days after it opened – said that “Alligator Alcatraz” did not even have basic conditions to be able to house people. He stated that several of the people hired to work there ended up resigning after the first few weeks because of the abhorrent conditions at the facility.<sup>267</sup> FLIC also indicated that the guards at the facility lack training.<sup>268</sup>

*“There wasn’t any sort of guide or training for the people working there. They didn’t know what they were doing.”<sup>269</sup>*

#### ▪ Access to justice issues and lack of due process

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<sup>256</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 67; *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 2; Democracy Now!, “Where are the detainees? Hundreds of “Alligator Alcatraz” prisoners disappear from ICE database”, 25 September 2025, [https://www.democracynow.org/2025/9/25/alligator\\_alcatraz](https://www.democracynow.org/2025/9/25/alligator_alcatraz); Miami Herald, “Hundreds of “Alligator Alcatraz” detainees drop off the grid after leaving site”, 16 September 2025, <https://www.miamiherald.com/news/local/immigration/article312042943.html>.

<sup>257</sup> Florida Department of Corrections, “Institutions List”, <https://www.fdc.myflorida.com/institutions/institutions-list>.

<sup>258</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>259</sup> Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance provides: For the purposes of this Convention, “enforced disappearance” is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law. The United States has not ratified the Convention, however, the prohibition of enforced disappearance is a norm of *jus cogens*.

<sup>260</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>261</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>262</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 5.

<sup>263</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 5.

<sup>264</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>265</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

<sup>266</sup> Florida Model Jail Standards (previously cited); Florida Statutes, Title XLVII, Chapter 951, [https://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0900-0999/0951/Sections/0951.2302.html](https://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0900-0999/0951/Sections/0951.2302.html), §951.2302.

<sup>267</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>268</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

<sup>269</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

Amnesty International received information about serious barriers to access justice for people detained at “Alligator Alcatraz”. Organizations stated that people constantly experience challenges in obtaining legal representation and advice, and in speaking with their lawyers confidentially, as well as language barriers as no interpretation services are provided at the facility.<sup>270</sup>

Individuals told Amnesty International that they were unable to communicate with their lawyers while detained at “Alligator Alcatraz”.<sup>271</sup> A man seeking safety told the organization, “My lawyers tried to visit me, but they weren’t let in. They were told that they had to fill out a form, which they did, but nothing happened. I was never able to speak with them confidentially.”<sup>272</sup> Legal service organizations indicated that their requests to meet with their clients were denied.<sup>273</sup> Americans for Immigrant Justice (AIJ) said that when “Alligator Alcatraz” first opened, lawyers “weren’t able to reach clients at Everglades at all”.<sup>274</sup>

In July 2025, several organizations filed a lawsuit against DHS challenging “the government’s attempts to prevent people detained in civil immigration custody at “Alligator Alcatraz” from communicating with legal counsel and from filing motions with the immigration court that could result in their release from detention.”<sup>275</sup> According to the lawsuit the only way for individuals detained at “Alligator Alcatraz” to communicate with their lawyers is via “infrequent access to collect pay phone calls that are monitored and recorded, and last approximately five minutes.”<sup>276</sup> ICE’s PBNDS require that individuals have access to confidential communication with their legal representatives.<sup>277</sup> However, there is no way for individuals detained at the facility to communicate confidentially with their lawyers, whether it be by way of in-person visits, or telephone or video calls.<sup>278</sup> “The outgoing calls are all monitored and recorded, so there are no confidential calls out,” said AIJ.<sup>279</sup> These barriers to accessing legal representation have serious impacts for individuals’ ongoing asylum and immigration cases as their lawyers are unable to speak with them confidentially to prepare for upcoming submissions and hearings.<sup>280</sup>

*“It has just been impossible for us to be able to see our clients. [One of our lawyers] went there as soon as it opened. She was left waiting outside for hours to see her clients, and was later told that she would not be able to see her clients that day.”<sup>281</sup>*

Legal service organizations said that, on several occasions, their clients were transferred from “Alligator Alcatraz” to another facility after they had tried to schedule a meeting with them.<sup>282</sup>

*“AIJ attorneys noticed a pattern of ICE transferring people out of the facility after attorneys requested a visit, and typically just before a visit is scheduled. For example, in August, AIJ had visits scheduled with 10 people in a single day. All 10 were transferred out just before the scheduled visits and AIJ attorneys were informed that the visits were cancelled, and the facility had no information on the clients’ current location. This happened again a few days later, but*

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<sup>270</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>271</sup> In-person interviews, Krome, 25 September 2025.

<sup>272</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>273</sup> Virtual and in-person interviews with organizations in Florida, Miami, Florida, 22 & 24 September 2025.

<sup>274</sup> Virtual interview with AIJ, 22 September 2025.

<sup>275</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 3.

<sup>276</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 4.

<sup>277</sup> ICE, Performance-Based National Detention Standards 2011, Revised December 2016 (previously cited), Section 5.6.

<sup>278</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 4.

<sup>279</sup> Virtual interview with AIJ, 22 September 2025.

<sup>280</sup> *C.M. v. Noem*, 16 July 2025 (previously cited).

<sup>281</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>282</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025; *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 57.



*with visits scheduled with 21 people, all of whom were transferred out the very morning of the scheduled visits.”*<sup>283</sup>

Organizations indicated that it is near impossible for individuals without lawyers to retain a legal representative from within “Alligator Alcatraz”. According to court documents, “Alligator Alcatraz” “does not post any information about how to reach an attorney, schedule a legal call, or contact ICE.”<sup>284</sup>

Amnesty International was told about serious breaches of due process and lack of legal grounds for detention affecting people held at “Alligator Alcatraz”. According to court documents, “numerous people have been held for days or weeks without removal charges or any other change” noting that this is a departure from ICE’s normal practices as immigration agents must “file the removal charging document – called a Notice to Appear – within 48 hours of detention.”<sup>285</sup> Under international law, any restriction of liberty must comply with the principle of legality, that is, it must be provided for and carried out in accordance with the law, with substantive and procedural safeguards in place. The absence of removal charges of many people detained at the center further indicates that people are detained arbitrarily, in violation of international obligations.

Organizations further stated that there is no way for individuals detained at “Alligator Alcatraz” to contest their detention or deportation orders because no official indication has been given as to which immigration courts have jurisdiction over the facility.<sup>286</sup> Court documents state that “EOIR has not provided any information as to which court immigrants detained at “Alligator Alcatraz” may file their request for bond hearings or bond motions” and that “ICE attorneys and immigration judges have told lawyers for detainees that their clients at the facility could not access immigration court because they were in Florida state custody.”<sup>287</sup> EOIR’s (Executive Office for Immigration Review) website, which lists which immigration courts have jurisdiction over which detention centers, does not indicate an immigration court with jurisdiction over “Alligator Alcatraz”.<sup>288</sup> Without access to immigration courts, people detained at “Alligator Alcatraz” have no way to challenge their deportability or ask for release from an immigration judge. The systemic obstruction of access to counsel, the lack of grounds for detention in many cases, and absence of immigration court jurisdiction over the facility deprive people detained of the right to an effective remedy against their detention and possible deportation.

Organizations have reported that people detained at “Alligator Alcatraz” are being coerced into signing “voluntary” removal forms and are being deported from the United States without due process.<sup>289</sup> Court documents indicate that “detainees report being pressured to sign voluntary removal forms, without consulting legal counsel”, including the story of an individual with an intellectual disability who was forced to sign a form in exchange for a blanket. The form ended up being a “voluntary” departure form and he was then deported without finishing his removal proceedings.<sup>290</sup>

- **Detention conditions at “Alligator Alcatraz” violate human rights and in some instances, amount to torture or other ill-treatment**

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<sup>283</sup> Virtual interview with AIJ, 22 September 2025.

<sup>284</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 23.

<sup>285</sup> *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 56.

<sup>286</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025; *C.M. v. Noem*, 16 July 2025 (previously cited), para. 9.

<sup>287</sup> *C.M. v. Noem*, 16 July 2025 (previously cited), para. 82; *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 59.

<sup>288</sup> Executive Office for Immigration Review (EOIR), “Immigration Court List – Administrative Control”, <https://www.justice.gov/eoir/immigration-court-administrative-control-list>.

<sup>289</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025.

<sup>290</sup> Virtual interview with AIJ, 22 September 2025; *M.A. v. Guthrie*, 22 August 2025 (previously cited), para. 77.

Based on the foregoing, Amnesty International concludes that the detention conditions at “Alligator Alcatraz” do not comply with international human rights law and standards. The organization finds sufficient indications that people detained at the facility are held in overcrowded and unsanitary conditions, that medical care is inadequate, that individuals are routinely shackled and punished through confinement in the ‘box’, that there is no official government registration of their detention, and that individuals face severe restrictions on access to their legal representatives.<sup>291</sup> Taken together, the arbitrary deprivation of liberty, the conditions, treatment and lack of oversight and accountability at “Alligator Alcatraz” reveal an intentional system of cruelty designed to deter migration through suffering. Amnesty International considers that the treatment of individuals at “Alligator Alcatraz” constitutes cruel, inhuman, or degrading treatment and in some instances, amounts to torture or other ill-treatment. The use of the ‘box’ as a form of punishment constitutes torture.

*“I don’t have words to describe what happened to me in “Alligator Alcatraz”; we lived through hell. It’s psychological and physical abuse. We’re in the United States in 2025, somewhere where you think human rights are respected, but I have my doubts.”<sup>292</sup>*

#### **iv. Situation at Krome North Service Processing Center**

*“ICE’s job is to break you. Everything has been a human rights violation.”<sup>293</sup>*

*“We’re going through something that we don’t deserve. What’s happening to us is extremely unfair.”<sup>294</sup>*

The Krome North Service Processing Center (Krome) is an ICE detention facility located in Miami-Dade County on the edge of the Everglades. The day-to-day operations of the facility are currently handled by Akima Global Services, LLC, which has managed the facility for over a decade.<sup>295</sup> Krome is one of the oldest and largest ICE detention facilities in the United States.<sup>296</sup>

The facility operates both as a short-term processing center and as a typical detention center for migrants and people seeking safety.<sup>297</sup> This hybrid role has led to an increased number of people detained at the facility which has resulted in deteriorating detention conditions.<sup>298</sup> For decades, organizations, lawyers and direct service providers have denounced the detention conditions at Krome, including severe overcrowding, chronic medical neglect tied to multiple deaths in custody, degrading and abusive treatment, and procedural failures that undermine individuals’ access to

<sup>291</sup> DHS, “DHS Debunks “Alligator Alcatraz” Hoaxes” (previously cited).

<sup>292</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>293</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>294</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>295</sup> Akima Global Services, LLC is an Iñupiat-owned company. It is a subsidiary of NANA Regional Corporation, which is an Alaska Native Corporation (ANC) owned by over 15,000 Iñupiat shareholders from northwestern Alaska. In August 2024, Akima signed a new contract with DHS to continue providing a “range of immigration detention services” at Krome. Akima, “Our Company”, <https://www.akima.com/our-company/>; NANA, “About Us”, <https://www.nana.com/about-us/>; GOVCON Wire, “Akima business wins \$685M DHS contract for immigration detention support services”, 15 August 2024, <https://www.govconwire.com/articles/akima-business-wins-685m-dhs-contract-for-immigration-detention-support-services>.

<sup>296</sup> Minnesota Lawyers International Human Rights Committee & Physicians for Human Rights, *Hidden from View: Human Rights Conditions in the Krome Detention Center*, April 1991, [https://www.theadvocatesforhumanrights.org/Res/krome\\_2.pdf](https://www.theadvocatesforhumanrights.org/Res/krome_2.pdf); AP, “As immigrant arrests surge, complaints of abuse mount at America’s oldest detention center in Miami”, 25 April 2025, <https://apnews.com/article/immigration-miami-deportation-detention-ice-67a6c798b56ea4b42ee06afcc8c22428>.

<sup>297</sup> In-person interview with ICE officials, Krome, 25 September 2025.

<sup>298</sup> U.S. Senate Judiciary Committee, *What is it really like to be in ICE detention?* (previously cited); Washington Post, “Giant tent rises in Florida to house hundreds of detained immigrants: The makeshift housing is the latest effort to ease crowding as the Trump administration ramps up arrests”, 24 April 2025, <https://www.washingtonpost.com/business/2025/04/24/immigrant-detention-tent-krome-florida/>; Bloomberg News, “Trump’s Immigration Push Sparks Overcrowding at Miami Detention Center”, 24 April 2025, <https://www.bloomberg.com/news/features/2025-04-24/trump-immigration-push-sparks-overcrowding-at-miami-s-krome-detention-center>; Florida Phoenix, “ICE confirms building at Miami detention center that U.S. Rep. labeled ‘tent city’”, 28 April 2025, <https://floridaphoenix.com/2025/04/28/ice-confirms-building-at-miami-detention-center-that-u-s-rep-labeled-tent-city/>; Miami Herald, “‘Inhumane!’ Overcrowding strains Krome detention center amid Trump’s immigrant crackdown”, 28 March 2025, <https://amp.miamiherald.com/news/local/immigration/article302968939.html>.

counsel and due process.<sup>299</sup> In 2025, the facility has faced heightened scrutiny after reports of severe overcrowding and several deaths in custody.<sup>300</sup> Independent reporting and human rights investigations have documented systemic failures in intake procedures, medical care, segregation and housing practices, and conditions that may amount to cruel, inhuman or degrading treatment or torture under international law.<sup>301</sup> These failures occurred against a backdrop of rapidly expanded detention populations and reduced independent oversight.<sup>302</sup>

Amnesty International visited the facility on 25 September 2025. The organization was given a tour of the facility by ICE officials which included visiting the medical unit, the behavioral health unit, the law library, the area with booths for virtual meetings between individuals and their legal representatives, the solitary confinement area, and the newly constructed processing area. During the tour, researchers had an opportunity to pose questions to ICE officials. The organization also spoke with four men detained at Krome, two of whom were from Cuba, one was from Chile and one from Venezuela. During the tour, Amnesty International was told by ICE officials that there were 862 people detained at Krome on that day, with 930 being maximum capacity. ICE officials also indicated that there “are a couple hundred staff” and that staff size had doubled in 2025.<sup>303</sup> Some staff at the facility are Akima contractors, while others are ICE staff.<sup>304</sup>

During the visit and based on interviews with ICE officials and the four men detained at Krome, Amnesty International documented delays in intake procedures, overcrowding in temporary processing areas of the facility, inadequate and inaccessible medical care, alarming disciplinary practices including the use of solitary confinement, and challenges in access to legal representation and due process at Krome.

- **Delays in processing, overcrowding and expansion of holding capacity**

Multiple 2025 reports have documented that Krome is operating in ways that exceeds its designated capacity, with ICE adding semi-permanent structures and tents to hold more people.<sup>305</sup> The individuals detained at Krome interviewed by Amnesty International all indicated that it took hours for them to be processed into the facility.

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<sup>299</sup> AIJ, “Americans for Immigrant Justice Submits Report on Krome Detention Center Abuses to United Nations Human Rights Council for Review on Human Rights”, 8 April 2025, <https://aijustice.org/2025/04/08/americans-for-immigrant-justice-submits-report-on-krome-detention-center-abuses-to-united-nations-human-rights-council-for-review-on-human-rights/>; HRW, “Why I’m Horrified By Florida’s Immigration Detention Centers”, 30 July 2025, <https://www.hrw.org/news/2025/07/30/why-i-am-horrified-by-floridas-immigration-detention-centers>; NPR, “Civil rights jobs have been cut. Those ex-workers warn of ICE detention violations”, 6 October 2025, <https://www.npr.org/2025/10/06/g-s1-91947/trump-ice-detention-civil-rights>; NPR, “Rights groups: ‘Abusive, degrading’ conditions exist at South Florida immigrant detention center”, 21 July 2025, <https://www.wlrn.org/immigration/2025-07-21/international-nonprofit-says-south-florida-detention-centers-violate-human-rights>; CBS News, “Human Rights Groups Allege Inhumane Conditions at South Florida Immigration Facilities”, 21 July 2025, <https://www.wlrn.org/immigration/2025-07-21/international-nonprofit-says-south-florida-detention-centers-violate-human-rights>; Al Jazeera, “‘Less than human’: Report details Trump immigration detention centre abuses: Detainees at three Florida detention centres report being denied medical care while subjected to degrading conditions”, 21 July 2025, <https://www.aljazeera.com/amp/news/2025/7/21/less-than-human-report-details-trump-immigration-detention-centre-abuses>.

<sup>300</sup> AILA, “Deaths at Adult Detention Centers 2025” (previously cited); AIC, “Trump Administration Deadlier for ICE Detainees Than COVID-19 Pandemic”, 17 October 2025, <https://www.americanimmigrationcouncil.org/blog/trump-deadlier-for-ice-detainees-than-covid-19-pandemic/>; NPR, “Jordanian man dies in ICE custody in Miami, marking the 17th death this year”, 20 October 2025, <https://www.wusf.org/politics-issues/2025-10-20/jordanian-man-dies-in-ice-custody-in-miami-marking-the-17th-death-this-year>; NPR, “It’s the deadliest year for people in ICE custody in decades; next year could be worse”, 23 October 2025, <https://www.npr.org/2025/10/23/nx-s1-5538090/ice-detention-custody-immigration-arrest-enforcement-dhs-trump>.

<sup>301</sup> U.S. Senate Judiciary Committee, *What is it really like to be in ICE detention?* (previously cited); HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited); AIJ, “Americans for Immigrant Justice Submits Report on Krome Detention Center Abuses to United Nations Human Rights Council” (previously cited).

<sup>302</sup> Politico, “ICE is hiring dozens of health workers as lawsuits, deaths in custody mount: Nearly as many migrants have died in detention so far this year than over the four years of the Biden administration”, 20 October 2025, <https://www.politico.com/news/2025/10/20/ice-is-hiring-dozens-of-health-workers-as-lawsuits-deaths-in-custody-mount-00614485>.

<sup>303</sup> In-person interview with ICE officials, Krome, 25 September 2025.

<sup>304</sup> In-person interview with ICE officials, Krome, 25 September 2025.

<sup>305</sup> AIJ, “Americans for Immigrant Justice Submits Report on Krome Detention Center Abuses to United Nations Human Rights Council” (previously cited); HRW, “Why I’m Horrified By Florida’s Immigration Detention Centers” (previously cited); NPR, “Civil rights jobs have been cut” (previously cited); NPR, “Rights groups: ‘Abusive, degrading’ conditions exist at South Florida immigrant detention center” (previously cited); CBS News, “Human Rights Groups Allege Inhumane Conditions at South Florida Immigration Facilities” (previously cited); Al Jazeera, “‘Less than human’: Report details Trump immigration detention centre abuses” (previously cited).

*“We were finally registered in the ICE locator when we were processed at Krome. Intake took around 10 to 12 hours. I arrived at 2am and wasn’t processed until the afternoon”.*<sup>306</sup>

*“It took 23-24 hours to be processed at Krome. I was at “Alligator Alcatraz,” and they came in at 3:30 am and got me and sent me to Krome.”*<sup>307</sup>

According to ICE officials interviewed by Amnesty International, in April or May 2025, Krome constructed an additional soft-sided structure that is being used to process individuals when they first arrive at the detention facility. Amnesty International visited the soft-sided structure and observed around 125 cots side-by-side in a large room. The ICE officials indicated that people may be held between one to seven days in this area, before they are moved to another part of the detention center or to a different detention center.<sup>308</sup> However, Amnesty International spoke with a migrant who has been held in this part of the facility for over a month. He told the organization that the area only has five toilets and four or five showers with almost no privacy. He said that the lights are always on and are not even dimmed during the night, so many people end up covering their eyes with a piece of clothing to try and sleep.<sup>309</sup> He also stressed the emotional strain of being held for weeks in what is supposed to be a temporary processing area, and not knowing whether he would remain in detention at Krome or be transferred to another ICE facility in Florida or elsewhere in the United States.

*“I’m being held in the big tent outside. There are 126 of us in there. There are only three telephones that we can use for five minutes a day. There are also seven tablets, but they don’t work well. They count us at least twice a day – when this is happening, we have to sit on our cots. The bathrooms are closed during the count which lasts over an hour.”*<sup>310</sup>

#### ▪ **Deaths and medical neglect**

*“The medical neglect is huge. People are dying in detention. ICE just does not care. People complain and they just leave them there.”*<sup>311</sup>

The UNHCR Detention Guidelines require that appropriate medical treatment is provided.<sup>312</sup> The Nelson Mandela Rules require that detention facilities have in place a health-care service tasked with “evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special healthcare needs or with health issues that hamper their rehabilitation.”<sup>313</sup>

Amnesty International was given a tour of the medical facilities at Krome. Dr. Ortega, a physician and clinical director at Krome, spoke in depth about the dialysis clinic, dental clinic, larger capacity medical unit, and a “state-of-the-art” mental health facility – the behavioral health unit – where people can receive group therapy, clarifying that a special admissions panel determines which individuals are eligible for the program.<sup>314</sup> Despite these resources, individuals interviewed by Amnesty International described serious barriers in access to acceptable and quality medical care including failure to provide treatment and delays in assessment and treatment of health conditions. During the 2025 fiscal year thus far, four individuals have died while detained at Krome

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<sup>306</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>307</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>308</sup> In-person interviews, Krome, 25 September 2025.

<sup>309</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>310</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>311</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>312</sup> UNHCR, Detention Guidelines (previously cited), Guideline 8.

<sup>313</sup> Nelson Mandela Rules (previously cited), Rules 24-35.

<sup>314</sup> In-person interview with clinical director, Krome, 25 September 2025.

– Ramesh Amechand, Genry Ruiz Guillen, Maksym Chernyak and Isidro Pérez – raising serious concerns about access to quality healthcare at the facility.<sup>315</sup>

While Amnesty International researchers were being shown the medical area of Krome, detained individuals being held in treatment rooms with clear windows began to bang on the walls asking to speak with the team. Two detained men yelled out, “Is it ok to talk to you guys? Please! What are they saying? It is bad in here man! There is no AC, and they use force. I want to talk about how they put their hands on us.”<sup>316</sup> As Amnesty International was being escorted out of the medical facility, researchers witnessed one of the rooms within the medical unit, where an individual was sitting alone in a room with bright lights. His eyes were closed and he appeared despondent. On the wall in front of him was a whiteboard with the words, “Importance of Compliance,” underlined.

*“It’s a disaster if you want to see the doctor. I once asked to see the doctor, and it took two weeks for me to finally see him. It’s very slow.”<sup>317</sup>*

A migrant told Amnesty International he is suffering from severe back pain and kidney stones and has trouble walking, but that when he asked for a wheelchair was told he could not have one.<sup>318</sup> He continues to experience kidney pain but, at the time he spoke with Amnesty International, had not received any sort of medical treatment for that condition. At one point he also thought he had the chickenpox because he had a rash everywhere, and other men were experiencing the same thing, but he was only given a pill.<sup>319</sup>

An asylum seeker interviewed by Amnesty International who had been detained at Krome for a month detailed how he was sent there after being in the hospital from an infection he had at “Alligator Alcatraz”. He said he was put into a dorm with 70 people and given no access to washroom facilities or showers. He has been diagnosed with schizophrenia but only receives medication every other day.<sup>320</sup>

*“There are more people here (Krome) with mental illness than there were at “Alligator Alcatraz”. I think it is because they are here for so long. I know of this one guy who ... has been here for two years.”<sup>321</sup>*

#### ▪ Degrading, inhumane and unsanitary detention conditions

Under the International Covenant on Civil and Political Rights (ICCPR), people are protected from arbitrary detention and from cruel, inhumane, or degrading treatment.<sup>322</sup> The UNHCR Detention Guidelines establish that conditions of detention for asylum seekers, if detained, must be humane and dignified.<sup>323</sup> The Nelson Mandela Rules require that areas where detained individuals are kept be always maintained and clean, and that due regard must be paid to climatic conditions including air, minimum floor space, lighting, heating and ventilation.<sup>324</sup> Failure to abide by these guidelines is likely to violate the US’s obligations under international law, including the prohibition of torture or other cruel, inhuman or degrading treatment or punishment.<sup>325</sup> A report published by Human Rights Watch, Sanctuary of the South and Americans for Immigrant Justice details numerous abuses at Krome including people being forced to kneel to receive food, shackled, and held in

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<sup>315</sup> ICE, “Detainee Death Reporting” (previously cited).

<sup>316</sup> Two anonymous detained individuals, Krome, 25 September 2025.

<sup>317</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>318</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>319</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>320</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>321</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>322</sup> ICCPR, Articles 7 & 9.

<sup>323</sup> UNHCR, Detention Guidelines (previously cited), Guideline 8.

<sup>324</sup> Nelson Mandela Rules (previously cited), Rules 12-23, 74-82.

<sup>325</sup> Convention against Torture, Article 7.



frigid, overcrowded cells.<sup>326</sup> Amnesty International was not granted access to the cafeteria or housing areas, but confirmed some of these abusive practices through interviews with individuals detained at the facility. Both Florida-based organizations and individuals detained at Krome spoke of overcrowding at the facility. While Amnesty International was not given permission to tour the housing area, the organization did observe overcrowding in the soft-sided processing area. According to AIJ, “People that were at Krome earlier in the year were sleeping on the floor. If someone had to go to the bathroom, they’d have to wake somebody up to move them around so you could get to the toilet or have them sit up so that the toilet doesn’t splash on them when you go.”<sup>327</sup>

*“A pattern that we definitely see is severe overcrowding at the various Florida detention facilities. And then that overcrowding leads to a bunch of other issues, including lack of medical care, lack of fresh food, people sleeping on the floors, all issues definitely caused by overcrowding. We know of people being held on buses for days at a time with overflowing toilets. People not able to take showers, not able to access phones, not able to contact attorneys, or get medical help, all exacerbated by overcrowding. People with ongoing medical issues that aren’t able to receive their prescribed medications because they’re stuck in a processing room for days at a time also worsened by overcrowding at the facilities.”<sup>328</sup>*

ICE officials told Amnesty International that individuals detained at Krome have access to tablets and to telephones to speak with their family members and legal representatives, however, individuals must pay a small fee to use both.<sup>329</sup> Amnesty International was told about problems with the tablet system at Krome which resulted in individuals not being able to communicate with their family members. An asylum seeker said, “Last week the phones weren’t working for five days. House 3 [a housing unit at Krome] started protesting and broke a window. Then the tablets and phones came back.”<sup>330</sup>

An ICE official told Amnesty International that individuals are permitted to be outside for up to six hours every day. However, another official quickly corrected him indicating that it was only two hours a day, one hour at a time.<sup>331</sup> According to a migrant, “They don’t let us go outside every day. Last week we only went outside once, and it wasn’t even raining.”<sup>332</sup> Other individuals interviewed by Amnesty International spoke of temperature fluctuations at the facility.

*“For 20 days all the AC [air conditioning] has been broken. There is one fan for 70 people. The cooler broke so there is only warm water.”<sup>333</sup>*

ICE officials told Amnesty International that, on the day of the tour, there was one transgender individual detained at Krome, and that individuals are housed based on the gender listed on their identification document. Krome is an all-male facility. Amnesty International was unable to speak with this individual or receive more information from ICE officials about their specific situation but is concerned that this individual is being detained based on the gender on their identification, which may not be the gender they identify with.<sup>334</sup>

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<sup>326</sup> HRW, AIJ & SOS, “You Feel Like Your Life Is Over” (previously cited).

<sup>327</sup> Virtual interview with AIJ, 22 September 2025.

<sup>328</sup> Virtual interview with AIJ, 22 September 2025.

<sup>329</sup> In-person interview with ICE officials, Krome, 25 September 2025.

<sup>330</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>331</sup> In-person interview with ICE officials, Krome, 25 September 2025.

<sup>332</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>333</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>334</sup> In-person interview with ICE officials, Krome, 25 September 2025.

Most significantly, the individuals interviewed by Amnesty International spoke of the severe impacts on their mental health and well-being as a result of their detention at Krome. A migrant said, “People cry a lot. They’re afraid and they’re stressed.”<sup>335</sup> “[The guards] do everything they can to destabilize you mentally,” said an asylum seeker.<sup>336</sup>

*“You have to stay strong. People are extremely stressed. They’re having a hard time, they’re sad, they’re anxious. The guards are racist and hostile. It’s almost like we disgust them [the guards].”*<sup>337</sup>

*“When I was detained, they took everything from me- my car, my money, my passport. If I ever leave from here, I will have to start with nothing.”*<sup>338</sup>

*“Most days I just feel anxious, uncertain. How long will I be here? All the laws are changing everyday, and there is stuff happening between my country and the U.S. So who knows what will happen to me?”*<sup>339</sup>

- **Cruel, degrading and inhuman disciplinary action and prolonged use of solitary confinement**

Amnesty International considers that the disciplinary actions used at Krome, including the use of solitary confinement, constitute cruel, inhuman or degrading treatment or punishment, and may amount to torture or other ill-treatment. According to the Nelson Mandela Rules, disciplinary action must be necessary and proportionate and sanctioned individuals must be granted the opportunity to defend themselves against allegations.<sup>340</sup> Moreover, disciplinary measures should only be used as a last resort. Only conduct likely to constitute a threat to good order, safety or security may be defined as a disciplinary offence.<sup>341</sup>

Individuals detained at Krome stated that they faced arbitrary disciplinary action, verbal and/or physical abuse, and solitary confinement or other forms of punishment. A physician and guards at the facility who spoke with Amnesty International noted that only doctors can order pharmaceutical restraints.<sup>342</sup>

*“One or two of the guards here are bad, but it’s not like “Alligator Alcatraz”. Many are still ok and respectful here, but they are all racist against Black and Brown people. I would say 80% of the guards here are racist, but they have been trained, unlike the ones at “Alligator Alcatraz”.*<sup>343</sup>

Amnesty International was taken to the Special Management Unit of the facility – which had 25 rooms with two beds in each room – where individuals are held in solitary confinement. ICE officials said that the minimum penalty for solitary confinement is 24 hours and that the maximum penalty is 30 days, however, that this can be extended while the individual is in solitary confinement.<sup>344</sup> An asylum seeker told Amnesty International he was sanctioned with 60 days in solitary confinement for allegedly assaulting a guard, of which he ended up spending 24 days in solitary confinement. He explained that he was physically assaulted by a guard. While officials were reviewing security camera footage of the incident, he had already been placed in solitary confinement and ended up being held there for 3 days prior to being sanctioned with 60 days.

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<sup>335</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>336</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>337</sup> In-person interview with migrant, Krome, 25 September 2025.

<sup>338</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>339</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>340</sup> Nelson Mandela Rules (previously cited), Rules 36-46.

<sup>341</sup> Amnesty International, *Combatting Torture and Other Ill-Treatment* (previously cited) p. 224.

<sup>342</sup> In-person interview with clinical director, Krome, 25 September 2025.

<sup>343</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>344</sup> In-person interview with ICE officials, Krome, 25 September 2025.

*“I had a problem at Krome, I was hit by one of the guards. He yelled at me, punched me in the neck and pushed me up against a wall, all because I told [him] that the bed he was trying to give to a new person was already occupied. I was taken to the SHU [solitary confinement]. I asked to see the doctor; the doctor didn’t even check me and just said I was fine. I was held in solitary confinement for three days while the incident was investigated. In the end they told me that I had slapped the guard’s hand and that my punishment was 60 days in solitary confinement, but I only ended up serving 24 days. I went nine days without any sort of medical attention. My neck hurt; I couldn’t move it. My ribs and ear hurt too. I was finally just given a pill. “In solitary, I had no access to the tablets or phones. No access to hygiene products or the tv. I went outside only once in 24 days. I was basically incommunicado.”<sup>345</sup>*

Amnesty International witnessed firsthand the disciplinary action taken against individuals detained at Krome. When touring the Special Management Unit of the facility, a man being held in solitary confinement put a sign through the metal flap opening in the door saying, “Help Me. I’m on Hunger Strike.” Amnesty International staff asked if they could speak with the individual and were initially allowed. Kneeling to hear the man through the metal flap, Amnesty International was told by ICE officials that the man had a broken hand and was being held in solitary confinement because he was on a hunger strike. The man showed Amnesty his bruised and mangled hand and said he had been waiting 37 days to receive medical attention for his hand.<sup>346</sup> As the man was describing his injuries, an ICE official repeatedly and violently slammed the metal flap against the injured man’s hands and forced Amnesty International out of the solitary confinement area stating, “This is a detained population. They can be dangerous. Allow security to do their jobs, also he’s not on a hunger strike. He ate yesterday and today.”<sup>347</sup>

Solitary confinement is defined in international standards as 22 hours or more a day without meaningful human contact.<sup>348</sup> It can only be used in exceptional circumstances and its duration must be as short as possible.<sup>349</sup> Prolonged solitary confinement, defined as lasting longer than 15 days, is never permitted as it will amount to torture or cruel, inhuman or degrading treatment or punishment.<sup>350</sup> Amnesty International considers that the use of prolonged solitary confinement at Krome amounts to torture or other ill-treatment in violation of international law.

#### ▪ **Obstacles to oversight and due process violations**

The Trump administration’s push for increased immigration enforcement has resulted in decreased oversight mechanisms and lack of legal services capacity, limiting individuals’ access to counsel and external monitoring.<sup>351</sup> Organizations interviewed by Amnesty International spoke of the challenges faced by individuals in obtaining legal representation.<sup>352</sup> They also mentioned that the U.S. Board of Immigration Appeals (BIA) decision making certain groups of individuals ineligible for bond has resulted in more individuals remaining in detention.<sup>353</sup> Despite this, the ICE Field

<sup>345</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>346</sup> Two anonymous detained individuals, Krome, 25 September 2025.

<sup>347</sup> Statement by guard/officer, Krome, 25 September 2025.

<sup>348</sup> Nelson Mandela Rules (previously cited), Rule 44

<sup>349</sup> Nelson Mandela Rules (previously cited), Rule 44; HRC, General Comment No. 20 (previously cited), para. 6; UN Special Rapporteur on torture, Report, 5 August 2011 (previously cited), para. 76.

<sup>350</sup> Mandela Rules, Rule 44; HRC, General Comment No. 20 (previously cited), para. 6; UN Special Rapporteur on torture, Report, 5 August 2011 (previously cited), para. 76.

<sup>351</sup> U.S. Senate Committee on the Judiciary, “Durbin Reveals Devastating Insights Into Florida ICE Detention Facilities In Exclusive Site Visit”, 18 July 2025, <https://www.judiciary.senate.gov/press/dem/releases/durbin-reveals-devastating-insights-into-florida-ice-detention-facilities-in-exclusive-site-visit>; Congresswoman for WA-07 Pramila Jayapal, “Democrats Use District Work Period to Conduct Oversight of ICE Detention Centers”, 3 June 2025, <https://jayapal.house.gov/2025/06/03/democrats-use-district-work-period-to-conduct-oversight-of-ice-detention-centers/>; U.S. House of Representatives, Debbie Wasserman Schultz, “Wasserman Schultz Leads House Dems to Demand DHS Restore Oversight Offices, Overhaul Inhumane Detention Conditions”, 8 April 2025, <https://wassermanschultz.house.gov/news/documentsingle.aspx?DocumentID=3327>; Washington Post, “Immigrants forced to sleep on floors at overwhelmed ICE detention centers” (previously cited).

<sup>352</sup> Virtual interview with AIJ, 22 September 2025.

<sup>353</sup> Virtual interview with AIJ, 22 September 2025.

Officer interviewed by Amnesty International at Krome made sure to clarify: “This is not a punitive place. People are here only because they are in immigration proceedings or awaiting removal.”<sup>354</sup>

Officials who spoke with Amnesty described the area where people can speak with attorneys through virtual sessions. “There are six virtual pods. The walls are clear, but they are soundproof and there is a computer. There is even one that accommodates a person in a wheelchair. The pods are available during the week between 9 am and 3:30 pm.”<sup>355</sup> “Know your Rights” trainings are conducted for the detained population by the University of Miami Law Clinic. However, both Florida-based organizations and individuals detained at Krome told Amnesty International that it is almost impossible to get individual legal assistance.<sup>356</sup> An asylum seeker said, “There are people here who could win their court cases, but they don’t have the money to pay for help. If they could be out there – they could help themselves, but they are stuck in here.”<sup>357</sup>

*“We’re really seeing the deportation pipeline and machinery ramp up ... there’s frankly just not enough removal defense attorneys ... There’s not a lot of immigration attorneys. All private immigration attorneys are super busy with existing caseloads ... There’s a huge subset of the population that just can’t get legal attention. If you’re detained, there’s a pretty good chance that you might not be able to afford private counsel either. So, I’d say that’s one of the biggest needs.”<sup>358</sup>*

Deportations and expulsions of migrants and people seeking safety – in some cases to countries that the individual is not from – are regularly occurring without due process.<sup>359</sup> The individuals detained at Krome that were interviewed by Amnesty International all shared stories of people accepting “voluntary departure” from the US because the detention conditions at Krome are so poor that they would prefer to be removed rather than remain in detention. According to AIJ, “[something] that’s becoming an increasing issue is an increase in ‘voluntary departure’ and/or self-deportation because the detention facilities are awful – and it seems likely purposefully so.”<sup>360</sup>

*“A lot of people end up being removed without ever having an opportunity to talk to an attorney. In fact, I mean, that’s what some of the poor conditions lead to. People are willing to sign a self-deportation or voluntary departure order because they’d just rather get out of that facility, sleeping on the cold concrete floor with little access to food, medicine, or the outside world.”<sup>361</sup>*

*“There is a lot of uncertainty. The people who work here give you incorrect information and they make everything difficult. They want you to self-deport. Their job is basically to make you give up so you decide to self-deport.”<sup>362</sup>*

When asked by Amnesty International what happens to individuals who cannot be removed from the United States for lack of a passport or other reasons, an ICE official responded, “everyone is currently considered removable.”<sup>363</sup> When asked to clarify whether this meant that people could

<sup>354</sup> In-person interview with ICE Field Officer, Krome, 25 September 2025.

<sup>355</sup> In-person interview with ICE Field Officer, Krome, 25 September 2025.

<sup>356</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025.

<sup>357</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>358</sup> Virtual interview with AIJ, 22 September 2025.

<sup>359</sup> AIC, *Mass deportation* (previously cited), pp. 50-53; Amnesty International, *Americas: Enforced disappearances in limbo* (previously cited); HRW, “*Nobody Cared, Nobody Listened*”: *The US Expulsion of Third-Country Nationals to Panama*, 24 April 2025, <https://www.hrw.org/report/2025/04/24/nobody-cared-nobody-listened/the-us-expulsion-of-third-country-nationals-to#:-:text=The%2048%20people%20Human%20Rights,to%20their%20countries%20of%20origin>; HRW, “*The Strategy is to Break Us*”: *The US Expulsion of Third-Country Nationals to Costa Rica*, 22 May 2025, [https://www.hrw.org/sites/default/files/media\\_2025/05/costarica0525%20web.pdf](https://www.hrw.org/sites/default/files/media_2025/05/costarica0525%20web.pdf).

<sup>360</sup> Virtual interview with AIJ, 22 September 2025.

<sup>361</sup> Virtual interview with AIJ, 22 September 2025.

<sup>362</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>363</sup> In-person interview with ICE official, Krome, 25 September 2025.

be removed to countries that they are not from, the official responded “yes.”<sup>364</sup> With regards to deportations and expulsions to third countries, both Florida-based organizations and individuals detained at Krome spoke of an increase in deportations of Cubans to Mexico, indicating that individuals are being moved to the US-Mexico border and then are brought by bus to places in southern Mexico, such as Tapachula and Tabasco.<sup>365</sup> AIJ indicated that detained Cubans are being threatened with being removed to countries other than Cuba.<sup>366</sup>

*“A lot of Cubans are being sent to Mexico. They’re sent there by bus without any documents from the US. I wish I could live in Cuba, but my life would be at risk there. But I also won’t be safe in Mexico.”<sup>367</sup>*

*“I heard about one Cuban guy who was sent to Africa and a Colombian guy who was moved from “Alligator Alcatraz” to another state and then sent to Guantanamo and then back to Colombia.”<sup>368</sup>*

The principle of *non-refoulement* requires states to refrain from returning, removing or transferring anyone to any place where there are substantial grounds to believe they would be at risk of persecution or other serious human rights violations. States are also prohibited from using indirect means to carry out refoulement. *Constructive refoulement* tactics include using indefinite detention or making life so difficult that the individuals feel compelled to leave the country, even if it means returning to a situation they fear. Regarding the Trump administration’s policy of deporting or expelling migrants and people seeking safety to countries that they are not from, United Nations experts have stated that individuals “must be given the chance to express their objections to removal in a legally supervised setting.”<sup>369</sup> Amnesty International considers that individuals are being removed from the United States – sometimes without final deportation orders or without being able to challenge their removal – to their countries of origin or third countries in violation of the principle of *non-refoulement*. Moreover, Amnesty International is alarmed that, in some cases, individuals are being threatened with being transferred to a country that they are not from, and that in others, individuals are being coerced into agreeing to “voluntarily” depart from the United States because detention conditions are so poor.

- **Detention conditions at Krome violate human rights and constitute cruel, inhuman, and degrading treatment**

Based on the foregoing, Amnesty International considers that the detention conditions at Krome do not comply with international human rights law and standards. The organization finds that individuals detained at Krome are held in overcrowded areas, in particular the soft-sided processing area of the facility, that medical care is inadequate, and that individuals are punished with solitary confinement. Procedural deficiencies, including impediments to legal counsel, raise due process and arbitrary detention concerns. Amnesty International considers that the treatment of individuals at Krome constitutes cruel, inhuman, or degrading treatment.

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<sup>364</sup> In-person interview with ICE official, Krome, 25 September 2025.

<sup>365</sup> Virtual and in-person interviews, Miami, Florida, 22, 24 & 25 September 2025; El País, “Cubans deported by Trump to Mexico face an uncertain fate with no guarantees”, 1 November 2025, <https://english.elpais.com/international/2025-11-02/cubans-deported-by-trump-to-mexico-face-an-uncertain-fate-with-no-guarantees.html>; El País, “From Alligator Alcatraz to Cancún, a Cuban deportee’s long journey to Mexico: ‘I’m like a ghost’”, 6 October 2025, <https://english.elpais.com/usa/2025-10-06/from-alligator-alcatraz-to-cancun-a-cuban-deportees-long-journey-to-mexico-im-like-a-ghost.html>.

<sup>366</sup> Virtual interview with AIJ, 22 September 2025.

<sup>367</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>368</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

<sup>369</sup> OHCHR, “UN experts alarmed by resumption of US deportations to third countries, warn authorities to assess risks of torture”, 20 July 2025, <https://www.ohchr.org/en/press-releases/2025/07/un-experts-alarmed-resumption-us-deportations-third-countries-warn>.



ICE officials stated that they “wholly disagree” with Amnesty International’s findings but did not provide additional information.<sup>370</sup>

#### **v. Transfers by ICE between detention facilities**

Organizations told Amnesty International that individuals detained in ICE custody are frequently transferred between ICE detention facilities; a phenomenon that is happening all across the United States and has become more common under the Trump administration with some people being moved between 10 and 20 times.<sup>371</sup> According to Human Rights First’s ICE Flight Monitor, between 20 January and 30 September 2025, the administration carried out 5,322 domestic transfer flights – meaning the movement of individuals between detention centers and deportation staging facilities across the US – representing a 53% increase from the same period in 2024.<sup>372</sup> Organizations indicated that these transfers move individuals away from their families, support systems, legal representatives and sustained medical care, and can disrupt their immigration cases, hampering their access to effective remedies and adequate legal counselling.<sup>373</sup> Moreover, frequent transfers between facilities makes it difficult for families and attorneys to know the location of where people are detained. This is compounded by the fact that there is a delay in updates to ICE’s Detainee Locator System, and certain holding and processing facilities do not appear on the locator at all, meaning that it often does not accurately reflect a person’s place of detention.<sup>374</sup> FLIC stated that, “people are being bounced from one location to the other.”<sup>375</sup>

*“Folks just get shuffled around all the time. Why is that harmful? You’re going to be far from your family. You’re going to be far from your counsel. While they’re getting moved around, the ICE Locator might not be updated for extended periods of time. The families and the attorneys just have no idea where this person is. This is particularly harmful when we’re in an expedited removal process. The hearings happen so quickly, and it feels like this is by design. If counsel is spending days trying to figure out where their client is, it’s very challenging to prepare for a hearing. It should be a basic human right – to be held in detention close to your community and legal counsel. You should not be able to be disappeared in the system and removed from access to legal counsel and family.”<sup>376</sup>*

Legal service organizations with shared experiences of their clients being transferred to other detention centers after having requested to meet with them or a few days before a hearing. An asylum seeker said, “people are sometimes moved randomly out of Krome before their hearings.”<sup>377</sup> Amnesty International finds that there is no reason which necessitates the constant transfer of individuals between facilities. The frequent and arbitrary transfer of individuals between facilities disrupts access to legal counsel and family contact and obstructs due process. Moreover, by

<sup>370</sup> Email from ICE, 25 November 2025.

<sup>371</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025; AIC, “Council and RMIAN File FOIA Seeking Information about Detrimental Transfers of People in ICE Custody”, 10 February 2025, <https://www.americanimmigrationcouncil.org/foia-request/council-and-rmian-file-foia-seeking-information-about-detrimental-transfers-people-ice-custody/>; Capital & Main, “ICE is transferring people in its custody away from family, lawyers”, 23 September 2025, <https://capitalandmain.com/ice-is-transferring-people-in-its-custody-away-from-family-lawyers/>; CNN, “Why ICE is really moving detainees over a thousand miles from where they were arrested”, 10 April 2025, <https://www.cnn.com/2025/04/10/us/immigration-detainees-trump-ice-students-visa/>; The Guardian, “Plane to purgatory: how Trump’s deportation program shuttles immigrants into lawless limbo”, 10 September 2025, <https://www.theguardian.com/us-news/ng-interactive/2025/sep/10/trump-global-airline-deportation-immigration>; Wall Street Journal, “Migrants Vanish Into Opaque ICE Detention System: Frequent long-distance moves leave families and lawyers struggling to keep track of people facing deportation—and undermine their legal defense”, 6 August 2025, [https://www.wsj.com/us-news/law/ice-detention-migrants-vanish-38fd798f?gaa\\_at=eafs&gaa\\_n=AWETsqdflL-ITRFS473N9nzRiZtGTH0dH3Go1oLTeHuDBc5snWTnIJYJzV7&gaa\\_ts=690d70bd&gaa\\_sig=fimDGBt1ZUfWfwc7Ui\\_Yha0wLArfp1tjEPpKrlEgC2dhERRTTFfjoqbN1uubRXaQTxa4mirZUm60UPa8p6vTRg%3D%3D](https://www.wsj.com/us-news/law/ice-detention-migrants-vanish-38fd798f?gaa_at=eafs&gaa_n=AWETsqdflL-ITRFS473N9nzRiZtGTH0dH3Go1oLTeHuDBc5snWTnIJYJzV7&gaa_ts=690d70bd&gaa_sig=fimDGBt1ZUfWfwc7Ui_Yha0wLArfp1tjEPpKrlEgC2dhERRTTFfjoqbN1uubRXaQTxa4mirZUm60UPa8p6vTRg%3D%3D).

<sup>372</sup> Human Rights First, *I.C.E. Flight Monitor: September 2025 Monthly Report*, October 2025, [https://humanrightsfirst.org/wp-content/uploads/2025/10/US-Immigration-Enforcement-Flight-Report\\_Sep2025.pdf](https://humanrightsfirst.org/wp-content/uploads/2025/10/US-Immigration-Enforcement-Flight-Report_Sep2025.pdf), p. 4.

<sup>373</sup> The Guardian, “Plane to purgatory” (previously cited).

<sup>374</sup> Virtual and in-person interviews with organizations, Miami, Florida, 22 & 24 September 2025.

<sup>375</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

<sup>376</sup> In-person interview with SOS, Miami, Florida, 24 September 2025.

<sup>377</sup> In-person interview with asylum seeker, Krome, 25 September 2025.

routinely transferring individuals between facilities without justification, notice or explanation, authorities are effectively concealing their whereabouts.

## **VII. The financial cost of state-owned detention in Florida and its impact on other rights**

“Alligator Alcatraz” is the first state-owned and operated immigration detention facility in Florida. It has already absorbed more than \$360 million USD in state-issued contracts and is projected to require approximately \$450 million USD annually to operate once it is fully functional.<sup>378</sup> Funds for the construction and operation of “Alligator Alcatraz” have been taken from the Florida Division of Emergency Management (FDEM) at the Governor’s discretion, following the declaration of an immigration emergency in the state. Between June and August 2025, the Executive Office of the Governor of Florida awarded 34 contracts to establish the detention facility.<sup>379</sup> All awards were made under the Governor’s emergency procurement authority (s. 252.36(2), F.S.), which allows contracts to be issued directly, without competitive bidding, during a declared emergency.<sup>380</sup> While typically used for hurricanes and other natural disasters, this authority was invoked following the Governor’s declaration of the immigration emergency.<sup>381</sup>

In recent years, the Florida legislature has reduced funding for health, housing, and education programs.<sup>382</sup> Resources that could have expanded children’s medical services, strengthened affordable housing, or improved flood protection were cut by the Florida legislature. For example, while the Governor vetoed \$32.3 million USD in funding for environmental and emergency response programs, the same amount was awarded to a single contractor for initial site preparation of “Alligator Alcatraz”.<sup>383</sup> Despite Florida ranking first in National Flood Insurance Program (NFIP) claims in 2024 – with a total value of \$7.6 billion USD – the state government chose to cut investments in stormwater management, drainage systems, and flood control projects.<sup>384</sup>

For the 2025-2026 fiscal year, Florida’s new budget cut \$7.2 billion USD from health and food security programs, and \$3.3 billion USD from emergency response initiatives.<sup>385</sup> The most significant reduction was the near elimination of the Children’s Medical Services Network – a program that provided specialized care for children with chronic conditions, rare diseases, and developmental or behavioral challenges. Its budget was slashed from nearly \$3.77 billion USD last year to just \$31 million USD this year.<sup>386</sup> In addition, the state cut its affordable housing budget by over \$300 million USD, which is nearly the same amount that it awarded in contracts for

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<sup>378</sup> The New York Times, “Florida Builds “Alligator Alcatraz” Detention Center for Migrants in Everglades”, 1 July 2025, <https://www.nytimes.com/2025/06/23/us/politics/florida-alligator-alcatraz-migrant-detention-center.html>.

<sup>379</sup> Florida Department of Financial Services, “Florida Accountability Contract Tracking System” (previously cited).

<sup>380</sup> Florida Statutes, Title XVII, s. 252.36(2), [https://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0252/Sections/0252.36.html](https://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0252/Sections/0252.36.html).

<sup>381</sup> Florida Department of Financial Services, “Florida Accountability Contract Tracking System” (previously cited); State of Florida, Office of the Governor Executive Order Number 23-03, 6 January 2023, <https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO-23-03-1.pdf>; State of Florida, Office of the Governor Executive Order Number 25-192, 29 September 2025, <https://www.flgov.com/eog/sites/default/files/executive-orders/2025/EO%2025-192.pdf>.

<sup>382</sup> Calculations made by Amnesty International using Department of Financial Services of the State of Florida, “Local Government reporting” (previously cited).

<sup>383</sup> Executive Office of the Governor Ron DeSantis, “Governor Ron DeSantis Signs Florida Fiscal Year 2025-2026 Budget” (previously cited). Calculations made by Amnesty International using data from: Florida Department of Financial Services, “Florida Accountability Contract Tracking System” (previously cited).

<sup>384</sup> FEMA, “Historical NFIP Claims Information and Trends”, <https://www.floodsmart.gov/historical-nfip-claims-information-and-trends?map=countries/us/custom/us-all-territories&region=us&miny=2024&maxy=2024&county=&gtype=country> (accessed on 13 October 2025).

<sup>385</sup> Department of Financial Services of the State of Florida, “Local Government reporting” (previously cited).

<sup>386</sup> Calculations made by Amnesty International using data from: Department of Financial Services of the State of Florida, “Local Government reporting” (previously cited).

“Alligator Alcatraz”.<sup>387</sup> In Florida, three out of four low-income households are unable to find affordable and available rental homes.<sup>388</sup>

Amnesty International has documented that the Government of Florida cut resources from essential social and emergency management programs while also allocating discretionary funds from FDEM to finance the construction and operation of “Alligator Alcatraz”. In October 2025, federal officials approved a \$608 million USD reimbursement to the state of Florida for the costs of building and operating “Alligator Alcatraz”.<sup>389</sup>

Although Amnesty International cannot be certain that the funds cut from health, housing and education programs are being redirected to the detention facility, the organization notes that the state is reducing funding for social programs while continuing to allocate resources for immigration detention. These budgetary decisions not only enable ongoing human rights violations but also affect the living conditions of the state’s most marginalized groups.

*“Detention is predicated on racism and violence, but also on people making a ton of money funneled from the public sector to the private sector.”<sup>390</sup>*

## **VIII. Conclusions and recommendations**

Amnesty International’s research shows that the State of Florida’s anti-migrant and anti-asylum policies, combined with a sharp escalation in immigration enforcement actions, are instilling widespread fear in migrant and mixed-status communities. The increasing entanglement of state and local authorities in federal immigration enforcement, including through 287(g) agreements, has led to an expansion of the system of mass arbitrary detention of asylum seekers and migrants, in violation of international human rights obligations. Under these policies and agreements, the detention of asylum seekers and migrants is the norm, not the exception.

The organization’s findings further demonstrate that the routine and prolonged use of shackles on individuals detained for immigration purposes, both at detention facilities and during transfer between facilities, constitutes cruel, inhuman and degrading treatment, and may amount to torture or other ill-treatment.

Detention conditions at both the Everglades Detention Facility (“Alligator Alcatraz”) and the Krome North Service Processing Center fall far below international human rights standards. Individuals are held in unsanitary and overcrowded conditions, face prolonged or arbitrary solitary confinement, lack adequate access to legal counsel and medical care, and experience treatment that collectively amounts to cruel, inhuman, or degrading treatment or punishment. The use of prolonged solitary confinement at Krome and the use of the ‘box’ at “Alligator Alcatraz” amount to torture or other ill-treatment. Moreover, Amnesty International considers that Akima is not fulfilling its corporate responsibility to respect human rights as it is operating a facility where human rights abuses are occurring.

Amnesty International also finds that the Government of Florida’s decision to cut resources from essential social and emergency management programs while continuing to allocate resources for immigration detention represents a grave misallocation of state resources. This practice

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<sup>387</sup> Calculations made by Amnesty International using Department of Financial Services of the State of Florida, “Local Government reporting” (previously cited).

<sup>388</sup> National Low Income Housing Coalition, “2025 Florida Housing Profile”, 2025, [https://nlihc.org/sites/default/files/SHP\\_FL.pdf](https://nlihc.org/sites/default/files/SHP_FL.pdf).

<sup>389</sup> AP, “Feds approve Florida for a \$608 million ‘Alligator Alcatraz’ reimbursement” (previously cited).

<sup>390</sup> In-person interview with FLIC, Miami, Florida, 24 September 2025.

undermines the fulfilment of economic and social rights for Florida residents and reinforces a system of detention that facilitates human rights violations.

The cumulative effect of these punitive policies and practices reveals a deliberate strategy that dehumanizes and punishes migrants and people seeking safety, with the aim of deterring them from seeking protection or staying in the country. These policies erode due process guarantees and violate the United States' obligations under international human rights and refugee law.

Taking into consideration Amnesty International's independent findings, the opinions of people seeking safety and organizations, and the United States' human rights obligations under international law, Amnesty International makes the following recommendations:

**To the Government of the State of Florida:**

- Repeal Senate Bill 4-C and all state-level immigration enforcement
- End the criminalization of migration by repealing Senate Bill 4-C which criminalizes the act of entry into the state for individuals who have not been inspected by US immigration officers.
- End all agreements between state and local law enforcement agencies and federal immigration enforcement agencies, including all 287(g) agreements. Immediately end the use of emergency powers to implement or expand immigration enforcement or detention operations. Emergency management authority must not be weaponized to target migrants or people seeking safety.
- Refrain from indiscriminately and arbitrarily detaining migrants and asylum seekers.
- Immediately close the Everglades Detention Facility ("Alligator Alcatraz"), and all other state-run immigration detention facilities, and ensure that no individuals are held in state-run facilities for immigration purposes. Until this happens:
  - Cease the use of shackles and other restraints on individuals detained for immigration-related reasons.
  - Immediately end any use of outdoor punitive confinement ("the box") or other disciplinary practices that constitute torture or cruel, inhuman, or degrading treatment.
  - Immediately register all individuals detained in the facility on a publicly available site that can be used to locate individuals in detention.
- Prohibit the use of solitary confinement for individuals detained for immigration reasons.
- Prioritize essential public services in the state budget, including healthcare, housing and emergency management, in line with the state's human rights obligations.
- Ensure that all individuals detained in Florida for immigration-related reasons have prompt, confidential, and unimpeded access to legal counsel and interpretation services, as well as to quality and acceptable healthcare.
- Undertake transparent, independent, and impartial investigations into allegations of torture, ill-treatment, medical neglect, and denial of due process in immigration detention facilities across the state, including "Alligator Alcatraz" and Krome.

- Ensure effective oversight, transparency, and accountability mechanisms for all detention facilities, including through independent monitoring by elected officials and human rights and civil society organizations.

**To the Government of the United States:**

- End the criminalization of migration by ending all prosecutions under 8 USC 1325.
- End the practice of mass migration detention in the United States.
- Establish a presumption of liberty in immigration proceedings, such that immigration detention is used only in extraordinary circumstances to verify the identity of an individual or when there is clear evidence of a flight risk that cannot be mitigated by an alternative to detention. Ensure that anyone left in detention facilities are held in facilities that abide by civil detention standards and have their health, welfare, and all rights protected during the duration of their detention.
- Refrain from detaining asylum seekers and migrants solely for irregular entry or stay.
- Prohibit the use of private for-profit, state-owned or state-operated facilities for the detention of individuals in federal immigration custody.
- End all 287(g) agreements and halt collaboration between state and local enforcement agencies and federal civil immigration enforcement.
- Prohibit the use of solitary confinement for individuals detained for immigration reasons.
- Ensure that all allegations of torture, ill-treatment, or deaths in custody are promptly, impartially, and effectively investigated, and that perpetrators are held accountable.
- End the practice of transferring individuals between ICE facilities in ways that obstruct access to counsel or family contact.
- Reinstate and strengthen ICE's Guidelines for Enforcement Actions in or Near Protected Areas (October 27, 2021), ensuring that immigration enforcement activities are prohibited, except in the most exceptional circumstances, in schools, healthcare facilities, places of worship, and other protected locations.
- Establish a right to counsel for people in immigration proceedings and ensure people are guaranteed legal counsel, as well as translation services, in all immigration court proceedings. Ensure that organizations that provide legal and other services to individuals in immigration detention are adequately funded.
- Respect the principle of non-refoulement at all times and ensure that no one, regardless of status, is returned to a place where their life or safety are at risk. Ensure an assessment of the risk upon return prior to any removal from the United States and the right of individuals to due process, including the right to an effective remedy. Refrain from removing individuals to countries of which they are not nationals.
- Allow for oversight of immigration detention facilities by allowing Members of Congress unfettered access to conduct unannounced inspections, as is required by U.S. Law.

**To the US Senate and House of Representatives:**

- Members of Congress should use their oversight authority to conduct oversight over detention facilities and immigration enforcement in their states and districts. Members of



Congress must use their oversight authority to conduct unnuanced visits to ICE detention facilities, in order to provide the most accurate oversight of facilities.

- Pass the Dignity for Detained Immigrants Act to create a presumption of liberty in all immigration custody decisions, end mandatory detention, prohibit the use of solitary confinement, and requirements on conditions and performance-based accountability mechanisms.
- Cut funds to ICE and CBP and redirect funds from immigration enforcement, surveillance, and detention into programs that protect communities such as healthcare, housing, education, and food assistance.
- Prohibit the use of federal funds to reimburse states for the costs of the construction or operation of immigration detention facilities.
- Amend the Immigration and Nationality Act to remove section 287(g) and prohibit federal funding to states to perform any function of immigration enforcement.
- Amend the Immigration and Nationality Act to repeal section 1325 and end the criminalization of migration.
- Establish and fund a right to counsel in immigration court, and ensure people are guaranteed legal counsel, as well as translation services, in all immigration court proceedings.
- Pass immigration reform to create a pathway to citizenship for undocumented people living in the United States, decriminalize migration, eliminate expedited removal and mandatory detention, and repurpose the US immigration system into one that is truly civil and administrative.