

## Detainees Who Spoke Out About Death Transferred to Texas

**By Sandra Hernandez**  
Daily Journal Staff Writer

Three men who spoke to reporters about the death of a 23-year-old Mexican immigrant with HIV while in federal custody have been transferred from a San Pedro detention center to a Texas facility.

The men told the Daily Journal that Victoria Arellano, a transgender person, was repeatedly denied medical care while at the San Pedro Processing Center.

Arellano was arrested in May and sent to the San Pedro detention center. She died July 20, too weak to stand but shackled to a hospital bed.

The relocation of the men became public this week, when Megan McLemore, a Human Rights Watch official, attempted to interview detainees about Arellano's death.

McLemore said guards at San Pedro detention center told her a dozen men who shared the same dormitory-style cell as Arellano were no longer there.

"It's remarkable that everyone in Victoria's pod, especially those who spoke out, were transferred elsewhere," McLemore said. "We hope Immigration and Customs Enforcement will explain what happened, especially because the transfers came as multiple investigations into the death are still ongoing."

McLemore is preparing a report on HIV/AIDS conditions in U.S. immigration detention centers due out this fall.

She had contacted several of the detainees, including Walter Ayala, Oscar Santander and Abel Gutierrez, for her report. The three men also spoke to the Daily Journal.

Virginia Kice, a spokeswoman for U.S. Immigration and Customs Enforcement, said such transfers are routine. Kice declined further comment.

Arellano's death is being investigated by the inspector general's office of the Department of Homeland Security. Arellano's family said it plans to file a lawsuit against the agency and others.

The Daily Journal was able to confirm Santander, Ayala and Gutierrez were moved to Karne City, Texas.

The three men were among the 55 detainees who signed a petition protesting Arellano's care during her final weeks.

Civil rights groups said many of the detainees were moved just days shy of pending court hearings.

Many of those men moved had hearings pending in San Pedro as early as Sept. 10, said Bardis Vakili, of the American Civil Liberties Union of Southern California.

Others were moved but their legal paperwork was left behind at San Pedro, he said.

"This means these men don't have access to their immigration paperwork, or the research they did on their case," Vakili said. "Many of them are representing themselves and this makes it very difficult for them."

At least 63 immigrants have died while in federal immigration custody since 2004.

But Arellano's case has sparked outrage from groups who sued the federal government over medical care.

The ACLU filed a lawsuit this year on behalf of immigrants held at a San Diego facility.

Lawyers for the group said transfer of detainees occurred during their investigation of deaths at a Virginia facility.

"In my efforts to investigate the death of detainees in Virginia, I sent letters to fellow detainees and these were reportedly intercepted," said Tom Jawetz, of the ACLU's National Prison Project. "The detainees were subsequently scattered to three different facilities around the state."



Photo courtesy of Arellano family