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ICE NEWSROOM

AUGUST 26, 2022 • ALBUQUERQUE, NM • DETAINEE DEATH NOTIFICATIONS

Brazilian man in ICE custody passes away in New Mexico hospital

ALBUQUERQUE, N.M. – A Brazilian national in the custody of U.S. Immigration and Customs Enforcement (ICE) passed away Aug. 24 at the University of New Mexico Hospital (UNMH) in Albuquerque. An autopsy is pending to determine the official cause of death.

On or about April 22, U.S. Border Patrol agents encountered Kesley Vial, 23, after he entered the country illegally in the El Paso, Texas, area of responsibility. Vial was transferred to ICE custody in El Paso on April 29, to await completion of his removal proceedings. Pending final disposition of his immigration proceedings, he was transferred to the Torrance (New Mexico) County Detention Facility (TCDF).

AILA Doc. No. 16050900. (Posted 9/6/22)

On Aug. 17, while detained at TCDF, Vial was found unresponsive by detention facility staff. TCDF medical personnel began life-saving efforts and contacted local paramedics. Emergency medical personnel arrived at the scene, took over efforts to save Vial's life, and transported Vial to UNMH for further evaluation.

Consistent with the ICE protocols, the appropriate components have been notified about the death, including the Department of Homeland Security's (DHS) Office of Inspector General (OIG), and the ICE Office of Professional Responsibility (OPR). Additionally, ICE notified the Brazilian consulate in Houston of Vial's death. UNMH staff notified the next of kin.

ICE is firmly committed to the health and welfare of all those in its custody and undertaking a comprehensive agency-wide review of this incident, as it does in all such cases. Fatalities in ICE custody, statistically, are exceedingly rare and occur at a fraction of the national average for the U.S. detained population.

The ICE Health Service Corps ensures the provision of necessary medical care services as required by ICE Performance-Based National Detention Standards (PBNDS) and based on the medical needs of the individual. Comprehensive medical care is provided from the moment individuals arrive and throughout the entirety of their stay. All people in ICE custody receive medical, dental, and mental health intake screening within 12 hours of arriving at each detention facility, a full health assessment within 14 days of entering ICE custody or arrival at a facility, and access to daily sick call and 24-hour emergency care. Pursuant to our commitment to the welfare of those in the agency's custody, ICE annually spends more than \$315 million on the spectrum of healthcare services provided to people in ICE custody.

Updated: 08/26/2022

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