



July 30, 2026

U.S. Department of Homeland Security
Office of the General Counsel
2707 Martin Luther King Jr. Ave. SE
Mail Stop 0485
Washington, DC 20528-0485
ogc@hq.dhs.gov

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
District Court Litigation Division
U.S. Department of Homeland Security
500 12th Street, SW
Mail Stop 5900
Washington, DC 20536-5900
OPLA-DCLD-TortClaims@ice.dhs.gov
OPLAServiceIntake@ice.dhs.gov

U.S. Customs and Border Protection
Office of the Chief Counsel
1300 Pennsylvania Avenue
Suite 4.4-B
Washington, DC 20229
cbpserviceintake@cbp.dhs.gov

VIA FEDEX AND EMAIL

Re: Notice of Claim for Damages under the Federal Tort Claims Act
Claimant: Elton Ainsley Junior Purvis

Dear Counsel:

Along with my colleagues at the American Civil Liberties Union (ACLU) Foundation of Texas, Edgar Saldivar and David Donatti, I, Carolina Rivera Nelson, represent Claimant Elton Ainsley Junior Purvis.

Find enclosed an administrative claim under the Federal Tort Claims Act for Elton Purvis. The submission consists of: (1) a claim authorization form; (2) Standard Form 95; and (3) an Attachment to Standard Form 95 detailing the facts supporting the claim.

This claim is submitted without the benefit of formal discovery. The Claimant reserves the right to amend or supplement this claim. Note that we are still gathering evidence and may supplement this filing.

Please provide confirmation of receipt of this filing and contact information of the attorney who will be handling this matter as soon as possible. I may be reached at the telephone number and email address listed below.

Sincerely,



Carolina Rivera Nelson
American Civil Liberties Union Foundation of Texas
criveranelson@aclutx.org
(832) 409-3425
P.O. Box 8306
Houston, Texas 77288

AUTHORIZATION TO FILE ADMINISTRATIVE TORT CLAIM

I, Elton Ainsley Junior Purvis, authorize Carolina Rivera Nelson of the American Civil Liberties Union of Texas to submit a claim under the Federal Tort Claims Act on my behalf to the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection, and any other government agency, seeking compensation for the unlawful actions of their employees or agents against me.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Printed Name: Elton Purvis

Signature: 

Dated: 7-29-26

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency: See attachment			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code. Elton Ainsley Junior Purvis; see attachment		
3. TYPE OF EMPLOYMENT ☐ MILITARY ☒ CIVILIAN	4. DATE OF BIRTH 05/20/1971	5. MARITAL STATUS Married	6. DATE AND DAY OF ACCIDENT See attachment	7. TIME (A.M. OR P.M.) See attachment	
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary). See attachment					
9. PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code). N/A					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side). N/A					
10. PERSONAL INJURY/WRONGFUL DEATH					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT. See attachment					
11. WITNESSES					
NAME		ADDRESS (Number, Street, City, State, and Zip Code)			
See attachment		See attachment			
12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE 0.00	12b. PERSONAL INJURY 10,000,000	12c. WRONGFUL DEATH 0.00	12d. TOTAL (Failure to specify may cause forfeiture of your rights). 10,000,000		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side). 			13b. PHONE NUMBER OF PERSON SIGNING FORM 0684632780		14. DATE OF SIGNATURE 7-29-20
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM			CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS		
The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident Insurance? ☐ Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. ☒ No

No insurance for this injury

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? ☐ Yes ☒ No

N/A

17. If deductible, state amount.

0.00

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).

N/A

19. Do you carry public liability and property damage insurance? ☐ Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). ☒ No

N/A

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

The claim may be filled by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

DAMAGES IN A **SUM CERTAIN** FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN **TWO YEARS** AFTER THE CLAIM ACCRUES.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) **Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.**

PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. **Principal Purpose:** The information requested is to be used in evaluating claims.

C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.

D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.

FTCA Standard Form 95 -- ATTACHMENT

Claimants: Elton Ainsley Junior Purvis

1. Submit to appropriate federal agency (continued)

U.S. Department of Homeland Security
Office of the General Counsel
2707 Martin Luther King Jr. Ave. SE
Mail Stop 0485
Washington, DC 20528-0485
ogc@hq.dhs.gov

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
District Court Litigation Division
U.S. Department of Homeland Security
500 12th Street, SW
Mail Stop 5900
Washington, DC 20536-5900
OPLA-DCLD-TortClaims@ice.dhs.gov
OPLAServiceIntake@ice.dhs.gov

U.S. Customs and Border Protection
Office of the Chief Counsel
1300 Pennsylvania Avenue
Suite 4.4-B
Washington, DC 20229
cbpserviceintake@cbp.dhs.gov

2. Name, address of claimant, and claimant's personal representative, if any (continued).

Claimant: Elton Purvis
32 Picton Rd Laventille,
Port of Spain, Trinidad & Tobago

Counsel: Carolina Rivera Nelson
Edgar Saldivar
David Donatti
American Civil Liberties Union of Texas
P.O. Box 8306
Houston, Texas 77288

6-7. Date and Time of Injury

May 13, 2025 – December 6, 2025

Elton Purvis was apprehended and detained by ICE and related entities beginning on May 13, 2025. Mr. Purvis was in ICE custody until December 6, 2025, when he was deported to Trinidad and Tobago.

8. & 10. Basis, Nature and Extent of Claim

I. Factual Basis for Claims

On May 13, 2025, Mr. Purvis was apprehended at Boston Logan International Airport in Boston, Massachusetts upon his return home from a trip abroad. Mr. Purvis was detained by ICE and federal contractors from May 13, 2025, until December 6, 2025, when he was deported to Trinidad and Tobago. Mr. Purvis was detained in various detention centers, including the Strafford County Department of Corrections Facility and South Texas ICE Processing Center in Pearsall, Texas (“Pearsall”). He spent most of his time in detention at Pearsall. During his prolonged detention, Mr. Purvis experienced medical neglect, medical mistreatment and dietary neglect at the hands of ICE and other related agents.

Mr. Purvis is a devout Rastafarian priest and a Type 1 diabetic. When Mr. Purvis was apprehended and detained by ICE, he had malaria. He also has allergies to eggs and lactose. Therefore, Mr. Purvis required regular medical monitoring, specialized medical treatment, and an appropriate diet that conformed to his religious, medical, and allergenic needs. Mr. Purvis was consistently denied access to the medical care, medicine, and food that he needed, despite having gone through all the required channels to seek approval for such things.

During his seven-month detention, Mr. Purvis’s medical needs were regularly neglected and mistreated. His dietary needs based on his religious and allergenic needs were also consistently neglected.

A. Medical Neglect

At least three times, Mr. Purvis was found unresponsive in his detention cell due to dangerously low blood sugar levels. At least three times, though not necessarily the same times as when he was found unconscious, Mr. Purvis was taken to a hospital for emergency medical care related to his dangerously low blood sugar levels. On June 2, 2025, Mr. Purvis was transported to Valley Baptist Harlingen for emergency treatment of hyperglycemia and dehydration. On June 9, 2025, Mr. Purvis was experiencing hypoglycemia and was brought to the medical unit at Pearsall on a stretcher. The same day, he was transported to University Hospital in San Antonio, Texas for emergency medical treatment. On June 19, 2025, Mr. Purvis was transported to Frio Regional Hospital in Pearsall, Texas for emergency medical care related to his diabetes. This is not an exhaustive list of incidents requiring hospitalization or advanced medical treatment.

On numerous occasions, Mr. Purvis started to feel the onset of hypoglycemia based on his symptoms including sweating, shortness of breath, lightheadedness, and fainting. Based on his history of diabetes, Mr. Purvis could tell when he was entering a critical state. When this happened, he would promptly and repeatedly request medical care from the guards at Pearsall. The guards would often not take him seriously and would ignore his pleas for help. At times, Mr. Purvis was

so weak from hypoglycemia that when he was finally given medical attention, he would require transport on a stretcher to the medical unit because he could not support himself.

At least on one occasion, Mr. Purvis begged for help from a nurse passing by his detention cell. The nurse requested that the guards take Mr. Purvis to the medical unit but the guards ignored the nurse's request, leaving Mr. Purvis to experience diabetic shock and desperation.

In addition to the medical neglect Mr. Purvis experienced related to his diabetes, ICE and related agencies were negligent in their care of Mr. Purvis's malaria. When Mr. Purvis arrived at Boston Logan International Airport, he was experiencing symptoms of malaria and was transported by wheelchair at the airport. On May 13, 2025, he was initially apprehended by ICE and remained in ICE detention at the airport for 2-4 days. On or around May 15, 2025, Mr. Purvis was transferred to Strafford Detention Center in Dover, New Hampshire where he remained for about a week.

Throughout this time, Mr. Purvis told numerous guards and agents that he had malaria and was experiencing worsening symptoms such as extreme exhaustion, nausea and loss of taste. Because Mr. Purvis had had malaria twice before, he was familiar with the symptoms to watch for and understood how quickly the disease could escalate and become life-threatening without proper medical care. Mr. Purvis had multiple episodes of serious malaria symptoms but was never allowed to see a doctor while at the airport or Strafford. As a result of this medical neglect, he became very sick. Mr. Purvis describes his physical state at this time as "like a skeleton."

When Mr. Purvis was transported by plane from Strafford to Pearsall, he had a malaria episode before the plane took off and another while on the plane. These episodes involved an acute attack of shivering chills, high fever, and heavy sweating lasting one to two hours. Despite Mr. Purvis's continual insistence that his symptoms were related to his malaria, he was only treated for diabetes. When ICE transferred Mr. Purvis to Texas, on or around May 20, 2025, he was hospitalized at Valley Baptist Hospital where he remained for about five days. He was not diagnosed with malaria or treated for malaria until May 25, 2025 when he had an unrelated endoscopy. Mr. Purvis was subsequently treated for malaria and his malaria symptoms resolved within a week. Because of ICE's negligence, for twelve days, Mr. Purvis was in ICE custody without access to his malaria medicine and without medical care for his serious and worsening symptoms.

B. Medical Mistreatment

Mr. Purvis had lived with and successfully treated his diabetes for 13 years prior to his detention in May 2025. When Mr. Purvis was apprehended in May 2025, ICE agents confiscated his diabetes and malaria physician-prescribed medicine and did not allow him to access or take the medication, despite numerous pleas and explanations from Mr. Purvis about the importance of the medicine to his health.

While in detention, despite numerous orders from various doctors, Mr. Purvis was frequently not given insulin and appropriate diabetes treatment, including food that complied with his dietary restrictions, at appropriate intervals. On various occasions, contrary to medical orders, Mr. Purvis was given medicine without food, or food without medicine. When Mr. Purvis was administered diabetes-related treatment, the nurses routinely failed to follow the appropriate "sliding scale"

treatment that is imperative to successful diabetes management. Medical professionals often ignored Mr. Purvis's own understanding of his condition and ignored important considerations including whether he had eaten recently and how this could affect his blood sugar levels. As a result, he was often "overdosed" with insulin and would experience a subsequent hypoglycemic crash after he was administered an incorrect dosage. Understanding that there were medical devices that could assist in his diabetes management, Mr. Purvis requested that ICE provide him with a continuous glucose monitoring system which was something he had used in the past. ICE denied him access to this medical care.

Mr. Purvis was also denied access to medical care including specialized visits with an endocrinologist, podiatrist, and emergency medical personnel. On at least one occasion, Mr. Purvis was unable to attend an appointment with a podiatrist because of a dispute between him and the guards about Mr. Purvis's head covering, which he needed to wear in accordance with his faith.

Additionally, for more than two months, Mr. Purvis experienced continued, severe and debilitating diarrhea. He was unable to lay down without losing control of his bowels. He was sometimes left without any clean clothing or undergarments and put in a solitary room because his condition did not allow for roommates. Mr. Purvis did not receive adequate diagnosis or treatment for this extreme condition and the symptoms that accompanied it, including serious dehydration and malnutrition.

C. Dietary Neglect

At the beginning of his detention, Mr. Purvis petitioned the Chaplain at the detention center to obtain a vegetarian diet in compliance with his religion. Even though he went through all the required channels, he continued to receive meat and food that did not comply with his dietary restrictions throughout his detention at Pearsall. ICE limited the type of request Mr. Purvis could submit to either one based on religious needs or medical needs which restricted his ability to receive adequate nutrition.

On a daily basis, sometimes for every meal of the day, Mr. Purvis would receive a food tray that contained items he could not eat including meat, dairy and eggs. Mr. Purvis would have to go back and forth with the guards to request a compliant food tray. The delivery of another tray would often get interrupted by detainee count, transport back to detainee cells, or guard shift change. Often, the second tray would again contain food that Mr. Purvis could not eat and that was not in compliance with his approved special needs diet. As a result, Mr. Purvis had to continuously advocate for himself in order to receive anything edible, usually to no avail. Many nights, Mr. Purvis relied on leftover pieces of cornbread from his fellow detainees in order to try and prevent the onset of hypoglycemic shock that was sometimes inevitable due to ICE's negligence. Mr. Purvis also suffered physical harm as a result of the dirty drinking water. He was forced to create his own filters to purify the water so that it would be potable.

ICE's refusal to comply with Mr. Purvis's dietary needs, both medical and religious based, led to frequent life-threatening medical neglect. This included hospitalization, malnourishment, frequent diabetic episodes of extremely high or low blood sugar levels, and extreme diarrhea and gastrointestinal distress for more than two months.

Throughout his detention, Mr. Purvis filed numerous grievances with ICE seeking remedies for the medical neglect, maltreatment, and malnourishment he was experiencing. He estimates that he filed over 100 grievances while in detention. Mr. Purvis kept regular logs of his efforts and medical care, but these documents were often confiscated by guards. In response to his grievances, both verbal and written, he was consistently met with pushback, noncompliance with established authorizations, inconsistent care, and violations of existing agency procedures. As a result, Mr. Purvis suffered extreme harm at the hands of ICE and related entities.

Before he was detained, Mr. Purvis had his diabetes under control (having been diagnosed 13 years prior) and never suffered any medical issues like the ones he suffered in detention. For Mr. Purvis, “food is health.” Prior to his detention, he had carefully managed his diabetic and allergenic needs in order to maintain a healthy lifestyle. Mr. Purvis had also successfully recovered from malaria twice before because he was able to receive prompt and appropriate medical care. ICE’s negligence in providing adequate medical care and appropriate food to Mr. Purvis led him to experience excruciating and life-threatening physical ailments consistently throughout his seven months in detention.

Now, Mr. Purvis is trying his best to get his diabetes management back on track after his prolonged detention and medical neglect. Mr. Purvis is also working to rebuild his life after the trauma he experienced based on his treatment in detention, his separation from his family and his subsequent deportation.

II. Legal Basis for Claims

Mr. Purvis asserts that agents committed the following torts: negligence, medical neglect, abuse of process, and intentional infliction of emotional distress.

ICE and its subcontractors had a duty to provide reasonable medical care to Mr. Purvis while he was in their custody. For seven months, ICE and its agents were negligent in their care of Mr. Purvis. As such, Mr. Purvis has valid tort claims against agents for negligence, medical neglect, abuse of process and intentional infliction of emotional distress. This is not intended to be an exhaustive list of possible causes of action arising from the same incidents. Furthermore, Claimant reserves the right to obtain and incorporate other documentation maintained in ICE, DHS, and other agencies’ records about these incidents, including records available through ICE’s contractor, GEO Group.

Mr. Purvis suffered various medical emergencies including being found unconscious various times, neglecting to provide him with the insulin and food needed in order to prevent severe hypoglycemia, experiencing months of severe diarrhea, and requiring numerous hospitalizations, ICE acted recklessly and breached that duty of care. ICE’s conduct was extreme, outrageous, and incredibly inhumane. Mr. Purvis suffered various instances of emotional and physical harm during detention and likely continues to experience harm because of ICE’s neglect.

11. Witnesses

- [REDACTED] – Witness may be contacted through counsel.
- [REDACTED] – Witness may be contacted through counsel.
- Other individuals who were detained in ICE custody with Mr. Purvis.
- ICE officers working at the facilities where Mr. Purvis was detained, including those whose names are unknown.
- GEO Group employees working at the facilities where Mr. Purvis was detained, including those whose names are unknown.
- Medical professionals who were involved in treating Mr. Purvis, including for routine diabetes management and treatment, as well as when Mr. Purvis became unresponsive or in need of emergency medical treatment, including those whose names are unknown.
- Medical professionals who were involved in treating and transporting Mr. Purvis when he was brought in for emergency medical treatment at Valley Baptist Medical Center, University Hospital, and Frio Regional Hospital, including those whose names are unknown.

Other than the individuals listed above, the names of witnesses are unknown to Claimant. The addresses of all witnesses are likewise unknown to Claimant. Claimant reserves the right to supplement or amend this list of witnesses.

13b. Phone Number of Person Signing Form

If for any reason ICE believes that this notice of claim is not in compliance with the requirements of the FTCA or any additional information is required, please contact attorney Carolina Rivera Nelson, (832) 409-3425, criveranelson@aclutx.org.