



**Homeland
Security**

September 21, 2018

MEMORANDUM TO: Nathalie R. Asher
Acting Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

FROM: Veronica Venture
Deputy Officer
Office for Civil Rights and Civil Liberties

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Dana Salvano Dunn
Director, Compliance Branch
Office for Civil Rights and Civil Liberties

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SUBJECT: LaSalle Detention Facility
Supplemental Expert Recommendation
Memorandum Complaint Nos. 16-06-ICE-0612;
16-06-ICE-0605; 16-04-ICE-0628¹

The U.S. Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) is conducting an investigation into conditions of detention for U.S. Immigration and Customs Enforcement (ICE) detainees at the LaSalle Detention Facility (LDF), located in Jena, Louisiana. CRCL's review of LDF focused in large part on operations in the areas of suicide prevention; medical care; and conditions of confinement. On August 21, 2017, CRCL issued its Expert Recommendation Memorandum for this facility. ICE has not yet responded to this memorandum. This Supplemental Expert Recommendation memorandum focuses on our findings regarding four detainee deaths that occurred at LDF between January 23, 2016 and March 13, 2017. CRCL received and reviewed the relevant documents related to these deaths after our onsite investigation concluded on March 17, 2017.² Thus, these findings and recommendations were not included in the initial Expert Recommendations Memorandum.

Enclosed with this memorandum is the separate report prepared by our subject matter expert following the onsite review.³ With this memorandum, and consistent with our standard practice,

¹ The detainees' personally identifying information (PII) is set out in the attached PII memo, so that this memo can be freely shared (without that attachment) with those who do not have a need to know this PII.

² CRCL onsite investigation occurred March 13-17, 2017.

³ In general, CRCL's experts relied on the applicable 2011 Performance Based National Detention Standards (2011 PBNDS) and related professional standards in conducting their work and preparing their reports and

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we request that you indicate whether ICE concurs with the expert recommendations, and that for those agreed to, you provide an action plan within 60 days.

Medical Care and Treatment

CRCL's medical expert reviewed the in-custody deaths of four ICE detainees.⁴ CRCL's medical expert concurred with the Office of Detention Oversight (ODO) reviewers' findings and recommendations, but has additional recommendations he believes that ICE should consider.

1. In that two of the three cases reviewed by CRCL's medical expert involved a failure of nursing staff to report abnormal vital signs to a provider (physician or nurse practitioner), **IHSC should develop and deploy guidelines for a nurse's response to abnormal vital signs, with clear thresholds for when to call a provider.**
2. Given the significant delays associated with the medical care and treatment of the Detainee involved in Complaint 17-06-ICE-0582 directly related to the complexities of his illness, **ICE should assess the sub-specialty support available in Jena, Louisiana, and, where sub-specialty support is determined to be limited or unavailable, transfer detainees in need of the specific sub-specialty services to another facility until appropriate sub-specialty support can be secured. (2011 PBNDS Medical Care, § II. 5, V.A.5).**
3. In that LDF failed to provide the Detainee involved in Complaint 17-06-ICE-0582 with a wheel chair and/or a cane as medically required, **IHSC should ensure that detainees requiring a medical aid are afforded the appropriate provision, except when such a provision would impact security. IHSC should issue a statement or guidance reminding LDF staff of this requirement and provide additional training where needed. (2011 PBNDS Medical Care, § 4.3.V. U).**

The complete expert report and recommendations are contained in the enclosed expert report. It is CRCL's statutory role to advise department leadership and personnel about civil rights and civil liberties issues, ensuring respect for civil rights and civil liberties in policy decisions and implementation of those decisions. We look forward to working with ICE to determine the best way to resolve these complaints. We request that ICE provide a response to CRCL 60 days whether it concur or non-concur with these recommendations. If you concur, please include an action plan. You can send your response by email. If you have any questions, please contact Senior Policy Advisor, (b)(6) by telephone at (b)(6) or by email at

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recommendations related to LDF. CRCL's experts relied on the National Detention Standards, the Under 72 Hour Model Check List, and related professional standards in conducting their work and preparing their reports and recommendations related to ASF. Some of their analysis or recommendations, however, may be based on constitutional or statutory requirements that exceed the detention or professional standards.

⁴ Complaints Nos. 17-06-ICE-0582; 16-04-ICE-0628; 16-06-ICE-0605; 16-09-ICE-0612.

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Enclosures

Appendix A – PII Memorandum
Appendix B – Supplemental Medical Expert Report for LDF
Appendix C – Medical Expert Report for LDF

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