



**Homeland
Security**

August 12, 2020

MEMORANDUM TO: Enrique M. Lucero
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

FROM: Peter E. Mina (b)(6)
Deputy Officer for Programs and Compliance
Office for Civil Rights and Civil Liberties

Dana Salvano-Dunn (b)(6)
Director, Compliance Branch
Office for Civil Rights and Civil Liberties

SUBJECT: Pine Prairie Detention Center
Complaint Nos. 19-12-ICE-0734, 19-12-ICE-0635,
19-11-ICE-0738, 19-11-ICE-0717, 19-10-ICE-0728,
19-09-ICE-0740, 19-09-ICE-0735, 19-06-ICE-0253,
19-05-ICE-0737, 19-05-ICE-0448, 19-03-ICE-0736,
and 18-11-ICE-0715

The U.S. Department of Homeland Security (DHS), Office for Civil Rights and Civil Liberties (CRCL), conducted an investigation into conditions of detention for U.S. Immigration and Customs Enforcement (ICE) detainees at the Pine Prairie Detention Center (Pine Prairie) in Pine Prairie, Louisiana. CRCL's review of Pine Prairie focused in large part on operations in the areas of medical care, mental health care, environmental health and safety, and conditions of confinement.

As part of our February 18-19, 2020, onsite investigation, CRCL used four independent subject-matter experts: a medical consultant, mental health consultant, environmental health and safety consultant, and a penologist. As a result of detainee and staff interviews, document reviews, and direct onsite observations, our experts identified concerns at Pine Prairie including medical and mental health care and treatment, suicide prevention, and PREA. We greatly appreciate the cooperation and assistance provided by ICE Field Office staff and Pine Prairie management and personnel before and during the onsite. At the close of the onsite, CRCL held an exit-briefing where we discussed our findings with leadership from the ICE and Pine Prairie management. Following the onsite, CRCL sent an email to ICE ERO on March 11, 2020, preliminarily identifying our most significant findings and recommendations.

Enclosed with this memorandum are the separate reports prepared by our subject-matter experts following the onsite review. The recommendations have been divided into priority and non-priority recommendations. Priority recommendations are listed in the body of this memorandum and CRCL requests that ICE formally concur or non-concur with these recommendations and provide CRCL with an implementation plan for all accepted recommendations. Non-priority recommendations are contained in a separate attachment to this memorandum. Although CRCL is not requesting formal responses to these, we encourage ICE to consider and implement these recommendations to the fullest extent possible.

With this memorandum, and consistent with our standard practice, 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 site visit revealed deficiencies in the provision of medical care and treatment at Pine Prairie in the areas of sick call, medication administration and refusals, record keeping, and specialty care. CRCL's medical expert made the following priority recommendations regarding medical care and treatment at Pine Prairie.

Sick Call

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Medication

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Refusal

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Medical Records Confidentiality

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9. Non-medical staff and staff not directly involved in the care of the detainee should not have access to confidential medical information unless it meets an exception. Only pertinent information should be shared to specific authorized individuals and only when necessary.

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Medical Records

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Specialty Care

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Calculated Use of Force

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prepared to respond to the event.

Mental Health Care and Treatment

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Sick Call

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Psychiatric Referrals

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Mental Health Roster

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Mental Health Documentation

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Suicide Prevention Program

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Housing

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Suicide Watch Protocols

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Clinical documentation

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Disciplinary Process

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Conditions of Detention

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CRCL's corrections expert made the following priority recommendations related to Pine Prairie:

² The previous recommendation for documentation audits could be utilized to address this recommendation.

PREA

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36. Provide responsible staff additional training and ensure the practice is to advise detainees making sexual abuse and assault complaints the investigation findings and conclusions. ICE SAAPI 5.9.1.k, VI.c..1, i.1.
37. Provide responsible staff additional training to ensure the practice is followed that upon transfer of a detainee prior to the completion of a sexual abuse and assault investigation the receiving facility is notified of the potential need for medical, mental health, victim services and/or custodial options ICE SAAPI 5.8d .c-d, VI. c.2, & i.2.
38. Provide responsible staff additional training and implement enhanced facility investigation reviews to ensure all allegations of sexual abuse and assault are investigated and required procedures are followed. PBNDS 2011 (2016 revisions) 2.11 Sexual Abuse and Assault Prevention and Intervention, VI.c.3 & i.3.

Language Access

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Grievances

40. Detainees are required to obtain grievance forms from the housing unit control center officer. Requiring detainees to request a grievance form from detention staff impedes detainee access to the grievance forms. PBNDS 2011 (2016 revisions) Grievance System, o.1. Accordingly, Pine Prairie should ensure that grievance forms are located in each of the detainee housing units, allowing detainees direct, unimpeded access to the forms.

Environmental Health and Safety

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Food temperatures

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41. Ensure that food is held at appropriate temperatures in accordance with the FDA Food Code 2017. All equipment must be in proper working order to ensure that food temperatures remain outside of the Temperature Danger Zone of 41 degrees F to 135 degrees F. This includes freezers, refrigerators, hot holding equipment, steam-tables, etc.

42. (b)(5)

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44. Ensure that kitchen staff frequently check food temperatures on the serving line to ensure they are being kept at appropriate temperatures.

Kitchen Hygiene

45. CRCL's environmental health and safety expert observed the FSA walking about the kitchen with his hand between his trouser belt line and his back. He was observed touching various items in the kitchen without washing his hands first. Everyone has bacteria on their skin and clothing and bacteria can be spread through touch and can contaminate food equipment or food. Hands must always be washed after touching the body and before handling food or food equipment. PBNDS 2011 (2016 revisions) Food Service, J. Safety and Sanitation and FDA Food Code 2017. Accordingly, the FSA should ensure that his hands are washed thoroughly with soap or detergent before touching food or food equipment, especially after his hands have been in contact with his body.

Barber

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46. Barber services are not provided to any detainee when the skin of the detainee's face, neck or scalp is inflamed, or when there is scaling, pus or other skin eruptions.
47. Detainees observed with these issues must be denied barber service and referred to medical for care of the skin problem.
48. All barber staff and detainees identified to work in the barber shop are trained on all barber operations standards, including the requirement for checking the face, scalp, neck and skin of detainee prior to any barber services being provided in order to comply with PBNDS 2011 Environmental Health and Safety standard for Barber Operations.

Laundry

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Laundry Exchange

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Chemical Control

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The complete expert reports and recommendations are contained in the enclosed expert reports. 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 within 60 days, whether it concurs or non-concurs with these recommendations. If ICE concurs, please include an action plan. The response can be sent by email. If there are any questions, please contact Senior Policy Advisor, (b)(6) by telephone at (b)(6) or by email at (b)(6)

Enclosures

Copy to:

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