



Homeland
Security

August 3, 2021

MEMORANDUM FOR: Corey A. Price
Acting Executive Associate
Director Enforcement and
Removal Operations
U.S. Immigration and Customs Enforcement

FROM: Veronica Venture (b)(6)
Deputy Officer
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Dana Salvano-Dunn (b)(6)
Director, Compliance
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SUBJECT: La Palma Corrections Center
Complaint Nos. 21-02-ICE-0088, 21-02-ICE-0113,
21-03-ICE-0157, 21-03-ICE-0155, 21-03-ICE-0153,
and 21-03-ICE-0158

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 La Palma Correction Center (LPCC) in Eloy, Arizona. CRCL's virtual onsite investigation occurred February 22-25, 2021, and was in response to allegations received regarding general conditions of detention, inadequate medical care of detainees, and environmental health and safety concerns at LPCC.

We greatly appreciate the cooperation and assistance provided by ICE and LPCC personnel before and during the review. As part of the review, CRCL engaged the assistance of three subject-matter experts: a medical consultant, conditions of detention consultant, and an environmental health and safety consultant. As a result of detainee and staff interviews, document reviews, and virtual observation, the subject-matter experts identified 31 recommendations specific to medical care, conditions of detention, and environmental health and safety concerns at the facility.

On February 25, 2021, as part of the LPCC onsite closing discussions, CRCL and the subject-matter experts discussed our findings with ICE ERO field office management, personnel from ICE ERO headquarters, and LPCC senior management.¹

¹ In general, CRCL's experts relied on the applicable 2011 Performance Based National Detention Standards. (PBNDS) for the LPCC onsite as they were the standards the facility is contractually obligated to implement.

Enclosed with this memorandum are the reports prepared by our subject-matter experts. They 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 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 ICE respond within 60 days.

Medical Care:

CRCL's medical expert made the following recommendations regarding COVID-19, medical care and treatment, mental health, and dental care at LPCC. These recommendations relate to the 2011 Performance Based National Detention Standards (PBNDS),² which requires that detainees have access to appropriate and necessary medical, dental, and mental health care treatment:

1. (b)(5)
 - 2.
 - 3.
 - 4.
 - 5.
- 

² U.S. Immigration and Customs Enforcement (ICE), Performance Based National Detention Standards (PBNDS) 2011. Located at [2011 Operations Manual ICE Performance-Based National Detention Standards | ICE](#)

level of urgency. *(4.3. Medical Care; V. Expected Practices; T. Emergency Medical Services and First Aid)*

6. (b)(5) CRCL recommends the LPCC medical staff to have all sick call requests triaged, documented and prioritized to ensure critical medical issues are addressed in a timely manner. *(4.3. Medical Care; V. Expected Practices; S. Sick Call)*

7. (b)(5) CRCL recommends the LPCC medical staff to assess and prioritize detainees in an appropriate time frame per policy. Consider matching the time frames to the national standard (NCCHC). *(4.3. Medical Care; V. Expected Practices; S. Sick Call)*

8. (b)(5)

9. (b)(5) CRCL recommends LPCC ensure nursing staff have medical providers review, acknowledge and document detainee's EKGs in the medical chart. *(4.3. Medical Care; V. Expected Practices; T. Emergency Medical Services and First Aid)*

10. (b)(5)

11. (b)(5)

12. (b)(5) CRCL recommends the LPCC's mental health staff triage and prioritize the mental health referrals and sick call requests to ensure that the detainees receive timely care. *(4.3. Medical Care; V. Expected Practices; O. Mental Health Program)*

13. (b)(5)

(b)(5)

14 (b)(5)

15

Conditions of Detention:

CRCL's conditions of detention expert made the following recommendations related to conditions of detention:

16. (b)(5)

17.

18. (b)(5)

. CRCL recommends that

³ The use of force incident is specific to complaint 21-03-ICE-0158. Specifically, on July 1, 2020, CRCL received email correspondence from a detainee at the LPCC regarding a use of force incident that happened on April 11, 2020. The detainee alleged armed officers entered his cell with force, shooting paintball bullets and tear gas. The detainee alleged he was hit with five paintball bullets during this incident. This complaint was partially substantiated.

LPCC staff identify themselves to detainees and inform them of how they can be contacted. *(2.13. Staff Detainee Communication; II. 1. & 2, & V. A.)*

(b)(5)

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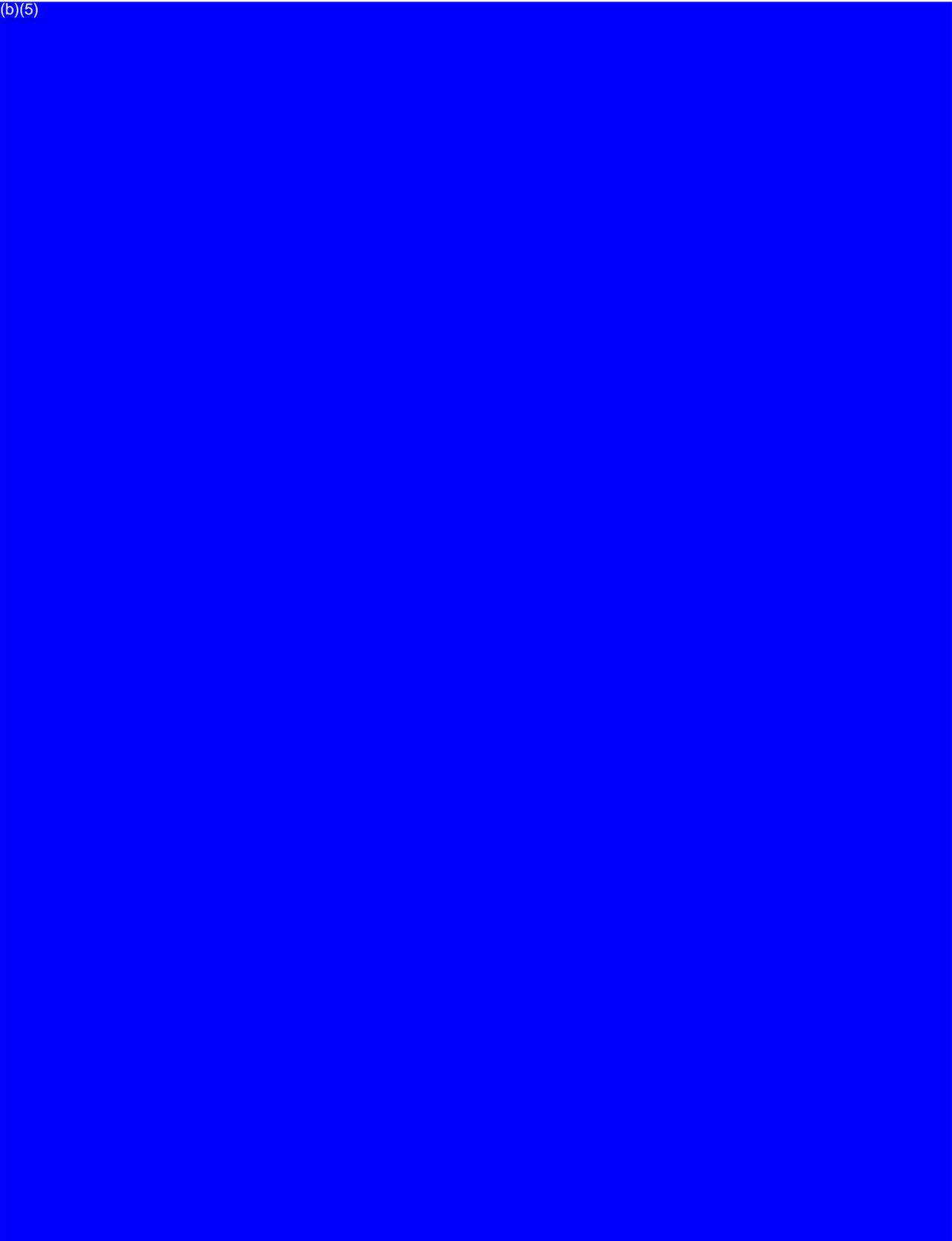
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(b)(5)

25. CRCL found that the LPCC recreation schedule did not provide detainees with a reasonable schedule that adjusted and accommodated seasonal/temperature conditions. CRCL recommends that LPCC review their recreation schedule and adjust it as necessary to provide detainees with opportunities to participate in leisure activities at a reasonable time of day and appropriate for seasonal conditions. **(5.4. Recreation; II. 2.)**

26. CRCL observed that due to COVID-19, LPCC does not have a system to provide detainees with regular opportunities to participate in practices of their religious faiths based upon religious programs which are planned, administered and coordinated in an organized and orderly manner. CRCL recommends that LPCC support Chaplain (b)(6) in his efforts to find ways to provide detainees with religious programs that are planned, administered and coordinated in orderly manner so that detainees may practice their religious faiths. (b)(5)

Another option is to provide him with technical assistance to record services and make them available through video recordings in the units. **(5.5. Religious Practices; II. 1. & 3.)**

27. CRCL observed that LPCC does not provide non-English and non-Spanish speaking detainees with a written translated version of the Detainee Handbook. CRCL recommends that LPCC reassess the needs of their detainee population and provide detainees with a version of the Detainee Handbook in a language they can understand. **(6.1. Detainee Handbook; II. 2. – 4.)**

28. CRCL found that LPCC had not provided an alternative option for detainees to participate in their virtual court hearing when detainees were in quarantine due to testing positive for COVID. LPCC should find feasible options for detainees who are in quarantine or similarly COVID restricted settings. CRCL recommends that LPCC explore or find ways for those detainees to participate in their virtual court hearings. For example, LPCC might use a unit office or the commissary delivery room in the unit to provide safety while ensuring access to the legal process. There are potential providers which may be able to accommodate such a solution. **(6.3. Law Libraries and Legal Material; II. 6.)**

29. (b)(5)

Environmental Health and Safety:

CRCL's environmental health and safety expert made the following recommendations related to food services:

30. (b)(5)

(b)(5)

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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 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 (b)(6)

Enclosures

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