



Office for Civil Rights and Civil Liberties

Summary of CRCL Expert Recommendation Memorandum and ICE's Response *Baker County Detention Center*

On May 1, 2023, U.S. Immigration and Customs Enforcement (ICE) responded to an *Expert Recommendation Memorandum* issued in April 2022 by the Office for Civil Rights and Civil Liberties (CRCL) that followed an onsite investigation at the Baker County Detention Center (Baker). ICE concurred with 26 recommendations, partially concurred with 12, and non-concurred with 13.

Background

Between June 2020 and August 2021, CRCL opened five complaint investigations involving noncitizens in ICE custody at Baker. The allegations raised concerns related to use of force, COVID-19 protocols, legal access, and sexual assault prevention. As a result of these complaints, CRCL conducted a multidisciplinary onsite investigation at Baker in November 2021 not only to review those allegations, but also to examine the facility's operations and assess issues that may raise additional civil rights and civil liberties concerns.

Findings and Recommendations

On April 26, 2022, CRCL issued ICE an *Expert Recommendation Memorandum* based on recommendations from the contract subject matter experts who accompanied CRCL during the investigation. The memo includes 51 recommendations in the general areas of conditions of detention, medical care, mental health care, and environmental health and safety. The following highlights the top three findings and actions that ICE agreed to take as a result of CRCL's recommendations.

Use of Force

CRCL determined that there were multiple avoidable use-of-force incidents at Baker, that staff routinely did not identify use-of-force violations in After-Action Reviews, and that the facility needed to update its use-of-force training. ICE agreed to update the facility's use-of force training, provide annual use-of force training to staff, and include a use-of-force instructor in the After-Action Review team.

COVID-19 Protocols

CRCL found that the facility eliminated cohorting and quarantining of incoming noncitizens, failed to provide routine educational sessions regarding vaccinations, did not provide staff and noncitizens with masks and gloves, and had no policy or procedure for wearing personal protective equipment (PPE). ICE agreed to reinstate cohorting for all new admissions, institute monthly COVID-19 educational training, provide staff and noncitizens with masks and gloves, and enforce PPE usage in the facility.

Disciplinary Hearings

CRCL found that the disciplinary hearing officer was unaware of procedures related to language access services and mental health consultations that may impact a disciplinary decision. CRCL also found that Baker's Detainee Handbook and Detainee Disciplinary Process Policy were inconsistent regarding disciplinary appeal procedures. ICE agreed to train the disciplinary hearing officer about interpreter and translation services, provide relevant mental health evaluations to be considered by the disciplinary hearing officer, and update the disciplinary policy to be consistent with the handbook.

CRCL provides the public with documents related to complaint investigations. After it is prepared and reviewed, CRCL will post a redacted version of this Expert Recommendation Memorandum on our [website](#) that will contain additional information about the complaint investigation and CRCL's findings and recommendations.

May 23, 2023