



Homeland
Security

March 2, 2023

MEMORANDUM FOR: Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement

Kerry E. Doyle
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FROM: Dana Salvano-Dunn (b) (6)
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Susan Mathias /s/
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SUBJECT: Close Memorandum Regarding Investigation at
Jackson Parish Correctional Center
Complaint Nos. 000101-21-ICE, 000102-21-ICE, and 000890-21-ICE

This memorandum concludes the investigation the Office for Civil Rights and Civil Liberties (CRCL) conducted into allegations related to U.S. Immigration and Customs Enforcement (ICE) detainees at the Jackson Parish Correctional Center (Jackson Parish) in Jonesboro, Louisiana. Following a collaborative process between CRCL and ICE, CRCL is closing the above-listed complaints.

Background

On December 13, 15, and 17, 2021, CRCL conducted an onsite investigation at Jackson Parish, using four subject matter experts in the areas of medical care, mental health care, environmental health and safety, and conditions of detention. On March 10, 2022, CRCL provided ICE with an Expert Recommendation Memorandum, issuing 49 recommendations, along with the experts' written reports. On August 18, 2022, ICE responded to the recommendations, concurring with 31, partially concurring with one, and non-concurring with 17.

Analysis

Concurrences

CRCL appreciates ICE's consideration of CRCL's recommendations. The following examples highlight several of the positive changes that stemmed from the 31 concurrences.

Communicable Disease and Infection Control (Recommendations Nos. 2-3)

During the onsite, management of the facility's infection prevention and control efforts, including the facility's COVID-19 response, started to be documented in the facility's multidisciplinary Quality Improvement meetings minutes. This change allows the facility to effectively track and monitor its responses to improve efficiencies, in all areas, during a communicable disease outbreak.

Electronic Medic Records (Recommendation No. 10)

Following the onsite, Jackson Parish implemented an electronic healthcare record which will improve efficiencies in managing medical and mental health records and help to ensure continuity of care.

Use of Force Training (Recommendation No. 27)

Following the onsite, Jackson Parish conducted use of force training on two separate occasions to refresh staff on the procedures for calculated use of force incidents, including consideration of noncitizens' health conditions prior to a calculated use of force. This training helps to ensure that noncitizens' medical conditions are considered before a calculated use of force, resulting in prevention of aggravated medical incidents.

Non-Concurrences

ICE non-concurred with 17 recommendations, and CRCL has carefully reviewed ICE's response for each non-concurrence. Although CRCL believes these recommendations remain important, after assessing the response to 13 of the 17 non-concurrences, it appears that ICE either generally agreed with the substance of the recommendations or indicated that the recommended actions were already being performed. Accordingly, CRCL considers these 13 responses to be sufficient.

COVID-19 (Recommendation No. 4)

CRCL expressed concern about the facility's COVID-19 testing protocols. However, ICE's response indicated that Jackson Parish does retest noncitizens with a rapid COVID test then rechecks positive tests results with a laboratory polymerase chain reaction (PCR) test to confirm the results.

Quality Improvement Program (Recommendation No. 9)

CRCL issued recommendations about Jackson Parish's quality improvement program. ICE responded that Jackson Parish conducts quarterly audits of medical records to address any deficiencies in the health care processes. Additionally, the results of these audits are summarized in an annual report.

Staff and Treatment Planning (Recommendation Nos. 13, 15)

Related to CRCL's recommendations regarding mental health treatment planning, ICE stated that the medical provider and the tele-psych providers work collaboratively to ensure that noncitizens are receiving appropriate and timely medical and mental health care. According to ICE, medical and mental health staff meet weekly to ensure key mental health clinical needs are discussed and

provided.

Sick Call and Documentation (Recommendation Nos. 17, 18)

In reference to CRCL’s recommendation about documentation related to the sick call process, ICE indicated that Jackson Parish’s sick call log documents the dates of sign-up and completion. Additionally, the sick call assessments and treatment are documented in the noncitizen’s medical record.

Special Management Units (Recommendation Nos. 19, 20)

CRCL expressed concern about the use of special management unit cells for medical purposes, such as suicide watch. In response, ICE stated Jackson Parish has designated special management unit cells that are specially equipped and allow for direct surveillance by security and/or medical staff.

Mental Health Emergencies (Recommendation No. 21)

Related to CRCL’s recommendations regarding mental health emergencies, ICE stated that noncitizens are informed through various mechanisms on how to communicate to staff in the event they experience a mental health emergency, including at medical intake and in the Detainee Handbook.

Safety Smocks (Recommendation No. 24)

CRCL issued a recommendation related to the routine use of safety smocks, rather than standard issue clothing in the event of a suicide risk. ICE stated that Jackson Parish’s mental health professional determines the clothing needs of the noncitizen, as clinically indicated, to ensure the safety of the noncitizen as well as the staff.

Language Access (Recommendation Nos. 29, 30)

In response to CRCL’s recommendation concerning language access, ICE indicated that the National Detainee Handbook is available in 14 languages and a facility supplemental handbook is available in 13 languages to the noncitizens, upon intake. Jackson Parish also provides interpretive services through a professional language line and the use of these services are documented in a log, which was created and implemented by Jackson Parish staff in March 2022.

Cleaning Protocols (Recommendation No. 46)

In response to CRCL’s recommendation concerning Jackson Parish’s housekeeping plan, ICE stated that the facility has a written housekeeping plan that states the how, what, and when cleaning and sanitation should be completed throughout the facility. The facility will continue to monitor and adjust as needed.

Following CRCL’s review of ICE’s response, CRCL has continuing concerns related to four of ICE’s non-concurrences. CRCL reiterates the importance of these recommendations and encourages ICE to review the expert reports in relation to the below CRCL responses to ICE’s non-concurrences.

Expansion of Clinical Services (Recommendation No. 11)

CRCL expressed concern about the provision of ongoing mental health treatment, when

clinically indicated. In its response, ICE stated that the Jackson Parish staffing plan is in compliance with PBNDS 2011 standards on Medical Care, however, the response did not address the need for ongoing mental health treatment. Therefore, CRCL reiterates the recommendation to expand clinical services.

Access to grievance forms (Recommendation No. 31)

During the onsite, grievance forms were not placed in each housing unit. Although ICE stated that the grievance forms are readily available for the noncitizens, CRCL reiterates its recommendation to provide the forms in the housing units so that noncitizens can anonymously access and submit a grievance without contacting the officer in the command booth, which may prevent a noncitizen from submitting a grievance out of fear of retaliation.

Quarantine/Medical Isolation (Recommendation No. 33)

In response to CRCL’s recommendations related to the provision of services to individuals in quarantine or medical isolation status, ICE stated that services are provided for individuals in segregation, per the standards; however, ICE did not respond to the recommendation for those in quarantine or medical isolation. Therefore, CRCL reiterates the recommendation to create written procedures for noncitizens who are housed in medical isolation or who are in cohort or quarantine status to retain access to the law library and law library materials.

Classification (Recommendation No. 34)

CRCL recommended ICE consider SAAPI and PREA screening information when making classification decisions. ICE provided information regarding Jackson Parish’s SAAPI and PREA screening process; however, it did not acknowledge using this information to ensure special consideration is given to any factor that would raise the risk of vulnerability, victimization, or assault in making classification and housing decisions. CRCL reiterates its prior recommendation.

Conclusion

CRCL appreciates ICE’s efforts to address CRCL’s recommendations and recognizes the changes ICE has already enacted. While CRCL has reiterated several recommendations that it believes warrant additional review and consideration, CRCL is closing the complaints related to this investigation of Jackson Parish. CRCL will continue to monitor new information related to Jackson Parish in light of the findings and recommendations made related to the onsite investigation.

It is CRCL’s statutory role to advise Department leadership and personnel about civil rights and civil liberties issues. Accordingly, CRCL may in the future review ICE’s implementation of any of the recommendations discussed in this memorandum and will notify ICE of any plans to do so. If you have any questions, please contact the Acting Deputy Officer of the Compliance Branch, Dana Salvano-Dunn, at (b) (6) or (b) (6)

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