



# Office for Civil Rights and Civil Liberties

## Summary of CRCL's Recommendations and ICE's Response *Buffalo Federal Detention Facility*

On February 11, 2020, U.S. Immigration and Customs Enforcement (ICE) responded to an *Expert Recommendation Memorandum* issued in May 2019 by the Office for Civil Rights and Civil Liberties (CRCL) that followed an onsite investigation at the Buffalo Federal Detention Center (BFDF). ICE concurred with 22 recommendations, partially concurred with four, and non-concurred with seven.

### Background

Between January 2018 and October 2018, CRCL opened five complaint investigations involving noncitizens in ICE custody at BFDF. The allegations raised concerns related to transgender care, religious access, sick call requests, chronic medical care, and retaliation. As a result of these complaints, CRCL conducted a multidisciplinary onsite investigation at BFDF in December 2018 to examine the facility's operations and assess issues raising civil rights and civil liberties concerns.

### Findings and Recommendations

On May 28, 2019, CRCL issued ICE an *Expert Recommendation Memorandum* based on its investigation conducted with the assistance of contract subject matter experts. The memo included 28 recommendations in the general areas of conditions of detention, medical care, and mental health care. The following highlights the top three findings and actions that ICE agreed to take as a result of CRCL's recommendations.

### **Sick Call Requests**

CRCL found that BFDF's sick call process required noncitizens to divulge their health issues publicly on a log sheet, and the process restricted noncitizens to submit a sick call request only for two hours each day. In response, ICE agreed to modify the sick call process by not requiring noncitizens to specify their reason for the appointment and permitting noncitizens to sign up for a sick call for a 12-hour period. CRCL also learned that dental sick call requests were being inadvertently destroyed after they were addressed, but the facility corrected this issue while CRCL was onsite.

### **Language Access**

CRCL determined that the facility did not provide forms translated into Spanish, and staff did not routinely use the telephonic interpreter services when interacting with Limited English Proficiency noncitizens. ICE agreed that BFDF staff should receive training on utilizing interpreter services, and this training is now being provided during orientation and at annual refresher training. In addition, the facility introduced tablets for the noncitizens to communicate requests and grievances in multiple languages.

### **Grievances**

CRCL found that BFDF erroneously screened out noncitizen's grievances and inaccurately provided noncitizens with notifications that their grievances had been resolved when they were not. ICE agreed to ensure that BFDF accurately records grievances, and BFDF transitioned to an electronic filing of grievances via tablets that allows for better categorization of grievances and more accurate responses to noncitizens.

---

*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.*

February 8, 2024