



Office for Civil Rights and Civil Liberties

Summary of CRCL's Recommendations and ICE's Response *ICE Hoteling of Unaccompanied Children*

On September 22, 2023, U.S. Immigration and Customs Enforcement (ICE) responded to a *Recommendation Memorandum* issued in January 2023 by the Office for Civil Rights and Civil Liberties (CRCL) about ICE's use of hotel rooms (*i.e.*, hoteling) to temporarily detain unaccompanied children (UC). ICE concurred with two of CRCL's recommendations, partially concurred with six, and non-concurred with four.

Background

Between May and July 2020, CRCL opened three representative complaints involving ICE's hoteling of UCs during their removal or voluntary departure. The complaints raised allegations related to ICE's adherence to the *Flores* Settlement Agreement and ICE's implementation of Prison Rape Elimination Act/Sexual Abuse and Assault Prevention and Intervention (PREA/SAAPI) protocols. While CRCL received more than 2,700 pieces of correspondence expressing concerns with ICE's hoteling of UC, most of these communications were general in nature and did not provide specific, investigable information.

Investigation

CRCL reviewed database records and other documentation involving three UC who were detained in hotels. CRCL also reviewed ICE's contract with MVM, Inc., the transportation contractor that ICE uses for hoteling. CRCL also reviewed policies and standard operating procedures developed by MVM and the ICE detention standards referenced in the MVM contract. CRCL found policy gaps related to oversight, telephone access, legal access, transparency, and sexual abuse prevention. Additionally, throughout 2022, CRCL participated in an ICE working group to develop new detention standards to govern ICE's use of hotel rooms.

Recommendations

On January 6, 2023, CRCL sent ICE a *Recommendation Memorandum* with 12 recommendations regarding hoteling of UCs during removals and voluntary departures. On September 22, 2023, ICE concurred with two of CRCL's recommendations, partially concurred with six, and non-concurred with four.

ICE concurred and partially concurred with recommendations related to strengthening MVM's requirement to comply with detention-related services, including PREA/SAAPI implementation, telephone access, attorney visitation, establishing an infectious disease policy, and establishing an inspection program. ICE also issued a new set of detention standards to govern ICE's use of hotel rooms. These standards address many of the findings CRCL made, including that ICE incorporate these new standards to the existing contract with MVM.

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