



# Office for Civil Rights and Civil Liberties

## Summary of CRCL's Recommendations and ICE's Response *ICE Health Service Corps Mental Health and Medical Care Part I*

On January 5, 2021, U.S. Immigration and Customs Enforcement (ICE) responded to an *Expert Recommendation Memorandum* issued in June 2020 by the Office for Civil Rights and Civil Liberties (CRCL) about the quality of noncitizen medical and mental health care at facilities staffed by ICE Health Service Corps (IHSC). ICE concurred with 13 recommendations, partially concurred with ten, and non-concurred with three.

### Background

Between June 2018 and October 2018, CRCL opened 17 complaints alleging that IHSC provided inadequate medical and mental health care at facilities it staffed, as well as insufficient oversight at ICE facilities in general. The allegations raised concerns of forcible medication injections, misdiagnoses, medication errors, deaths of noncitizens, lack of psychiatric care, and inadequate substance abuse treatment. As a result of these complaints, CRCL conducted an extensive policy and medical records review of 17 noncitizens in ICE custody at eight immigration detention facilities.

### Findings and Recommendations

On June 23, 2020, CRCL issued ICE an *Expert Recommendation Memorandum* based on its investigation conducted with the assistance of contract subject matter experts. The memo included 26 recommendations in the areas medical care and mental health care at eight IHSC-staffed facilities. The following highlights the top three findings and actions that ICE agreed to take as a result of CRCL's recommendations.

#### **Serious Mental Illness Lists**

CRCL determined that Eloy Federal Contract Facility (EFCF), LaSalle ICE Processing Center (Jena), El Paso Service Processing Center (El Paso), and Tacoma ICE Processing Center did not place noncitizens who exhibited symptoms of psychotic illness on the Serious Mental Illness (SMI) lists. ICE agreed to train health care staff on the proper procedures for serious mental disorders and conditions annually.

#### **Emergency Forced Medication**

CRCL found that Jena and El Paso did not follow IHSC policy with the use of forced medication. At Jena, medical providers quickly resorted to forced medication before seeking other treatment and used forced medication on another noncitizen who had no reported mental health issues. At El Paso, medical documentation related to forced medication was unclear or missing. ICE agreed to provide training on proper utilization of forced medication to medical staff at El Paso and Jena.

#### **Quality Improvement Reviews**

CRCL determined that the South Texas Family Residential Center (STFRC) did not administer a prescribed medicine in one instance, and, in another, medical records raised concerns about the urgent care provided to a child. CRCL also found that EFCF did not timely administer psychotropic interventions. ICE agreed to conduct reviews of the STFRC incidents to identify any procedural lapses that required corrective actions. Further, ICE agreed that an EFCF multidisciplinary team would implement clinical case reviews weekly to facilitate medication management, measure the efficacy of a noncitizen's treatment plan, and identify the need for higher level of care.

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

March 4, 2024