

**CONDITIONS OF DETENTION SUBJECT MATTER EXPERT SUPPORT SERVICES  
FOR  
THE DEPARTMENT OF HOMELAND SECURITY  
OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES**

**STATEMENT OF WORK**

**1. BACKGROUND**

The U.S. Department of Homeland Security (DHS), Office for Civil Rights and Civil Liberties (CRCL), is responsible for investigating complaints filed pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000-cc-1, alleging abuses of civil rights, civil liberties, and racial and ethnic profiling by DHS employees and officials, as well as contractors used by DHS Components. CRCL's Compliance Branch is responsible for investigating these complaints. CRCL is also charged with overseeing compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights and civil liberties of individuals affected by DHS programs and activities.

**2. SCOPE**

**2.1** The purpose of this contract is to obtain program support services from a conditions of detention subject matter expert (SME) to assist CRCL perform its investigatory and oversight functions. The selected subject matter experts will primarily assist CRCL in conducting investigations examining conditions of detention in immigration detention facilities used by U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP), which will include preparing reports related to the investigations. CRCL cannot accurately predict the locations nor the number of facilities that may require onsite reviews because it depends on the complaints received. The expert may also be asked to assist CRCL with other CRCL matters related to conditions of detention, including reviews initiated by DHS leadership, consulting with substantive work groups, providing training, and other activities as requested.

**2.2** Conditions of Detention SME services are required to evaluate complaints received pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000-cc-1 and to oversee compliance with constitutional, statutory, regulatory, policy, and other requirements related to civil rights and civil liberties. The expert will provide assistance related to activities that arise within CRCL's authority, including, but not limited to research, analysis, and/or development of system-wide standards, policies, procedures, and training. Services include, but are not limited to, conducting reviews of DHS facilities, providing training related to their areas of expertise, and other activities and projects related to conditions of detention concerns, as tasked by CRCL, such as participating in work groups, developing or presenting briefings, and preparation of documents. In particular, the experts will also be required to prepare detailed reports regarding their observations and findings, as well as to provide recommendations based upon applicable correctional standards. CRCL cannot accurately predict the extent of the related activities required because it depends on the complaints received.

**3. REQUIREMENTS / TASKS**

**3.1** The Contractor shall review, evaluate, and report on conditions of detention issues and

advise CRCL on how Department policies and practices impact various issues involving immigration detention facilities.

**3.2** The Contractor personnel shall document their findings and recommendations in well written, comprehensive reports for each investigation or assignment. The Contractor personnel shall collaborate with CRCL as necessary to make edits to the written reports in order to fulfill CRCL's needs, goals, and requirements.

**3.3** The Contractor personnel shall provide CRCL with guidance on various violations of civil rights or civil liberties related to conditions of detention practices upon request, whether related to a CRCL investigation, or related to a broader CRCL issue or area of work. The Contractor personnel shall provide such guidance, whether planned or ad hoc, by telephone, email, formal report, or in person, as requested by CRCL. The guidance shall include, but not be limited to, discussions and assessments of individual cases, findings from onsite investigations, discussion of policies and practices, and any other relevant information that may arise during the course of an investigation or other aspects of CRCL's oversight work.

## **4. CONTRACTOR PERSONNEL**

### **4.1 Qualified Personnel**

The Contractor shall provide qualified conditions of detention consultants to perform the requirements specified in this Statement of Work.

### **4.2 Minimum Requirements for a Conditions of Detention Subject Matter Expert**

4.2.1 The Contractor shall have a Bachelor's Degree in criminal justice or correctional management – or, in lieu of a Bachelor's degree in criminal justice or correctional management, a Master's degree or other graduate degree in a related field.

4.2.2 The Contractor shall have at least 10 years hands-on experience, including five years of management experience, in an adult detention setting.

4.2.3 The Contractor shall have experience investigating, auditing, or otherwise evaluating detention facilities for adherence to applicable correctional standards.

4.2.4 The Contractor shall be experienced in objectively critiquing the actions of other officers or officials in a detention setting.

4.2.5 The Contractor shall have experience serving as a subject matter expert providing advice, guidance, or testimony on conditions of detention issues in a detention setting.

4.2.6 The Contractor shall have experience formulating recommendations or other steps to address issues, violations, or concerns identified as part of an investigation or other type of inquiry.

4.2.7 The Contractor shall be familiar with and have experience applying the American Correctional Association (ACA) Standards and other applicable standards.

4.2.8 The Contractor shall have knowledge and experience with the history, policies, and protocols of corrections standards in a detention setting and will be apprised of recent trends and developments in providing these services.

4.2.9 The Contractor shall have experience producing written reports that evaluate detention standards, systems, and actions present in detention facilities. This will include analysis of and application of standards and policy.

4.2.10 The Contractor shall demonstrate the ability to produce comprehensive reports that are well-written, clear, and cite relevant resources.

4.2.11 The Contractor shall demonstrate the ability to review large amounts of documentary evidence in short timeframes and provide oral briefings, written reports, and training under tight timelines.

4.2.12 The Contractor personnel must be able to travel to various locations nationwide to perform onsite investigations for several consecutive days and work efficiently and cooperatively under the direction of CRCL personnel.

#### **4.3 Other Contractor features, but not required.**

The following are contractor features above the minimum requirements of qualified personnel but are not required for **SECTION II** performance:

4.3.1 The Contractor has more than 20 years of hands-on experience working in an adult detention setting.

4.3.2 The Contractor has more than 10 years of experience managing a corrections program in an adult detention setting.

4.3.3 The Contractor has demonstrated experience in a variety of types of detention settings and with a variety of populations. The variety could include working with adults and children, working in prisons, jails, or another type of facility, or working with other special populations.

4.3.4 The Contractor has experience working in immigration detention facilities.

4.3.5 The Contractor has conducted and published research and analysis regarding system-wide issues related to corrections or detention.

4.3.6 The Contractor has worked directly with the ICE National Detention Standards (NDS), Performance Based National Detention Standards (PBNDS), or other related policies governing conditions of detention in immigration detention.

4.3.7 The Contractor has reviewed and evaluated conditions standards and services provided in an immigration detention facility.

## **SECTION III – DELIVERIES AND PERFORMANCE**

### **1. PERIOD OF PERFORMANCE**

The period of performance for work performed under this contract consists of a one-year base period of performance, and four (4) one-year optional periods of performance.

### **2. PLACE OF PERFORMANCE**

The place of performance for work performed under this contract shall be at the Contractor's site or Contractor's remote location.

### **3. HOURS OF OPERATION**

Services will generally not be required on the following Federal holidays (or any other holidays declared by the Government); however, the Contractor may be required to provide services on these days in support of mission critical situations.

- New Year's Day
- Martin Luther King's Birthday
- Inauguration Day (Metropolitan DC only)
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day

No work shall be performed by Contractor personnel on Government facilities on Federal holidays or other non-work days without prior written approval of the COR

### **4 DELIVERABLES AND DELIVERY SCHEDULE**

The Government will review all draft and final deliverables to ensure accuracy, functionality, completeness, professional quality, and overall compliance with government policies, regulations, laws and directives. Written documents shall be concise and clearly written. Final documentation deliverables shall be provided in hard and soft copy using MS Office applications. Daily, weekly and interim information deliverables and working-copy products may be provided by email or disk, as arranged with the COR.

The government will have ten (10) business days to accept or reject contract deliverables. If a deliverable is rejected and returned to the Contractor for revision, the Contractor shall provide the corrected deliverable within five (5) business days of notification of the request for revision. All deliverables shall be submitted to the COR and assigned CRCL POC identified in this contract. The Contractor's deliverables shall not contain any identifiable corporate markings.



| ITEM | DELIVERABLE / EVENT  | DUE BY  |
|------|--|---|
| 1    | <b>Post Award Meeting</b>  | 5 business days of date of award.   |
| 2    | <b>Progress Reports</b>  | 3 business days following request.  |
| 3    | <b>Draft Investigative Reports</b>                               | <b>COR CHECKPOINT</b> Within 10 business days of receipt of assignment or completion of investigative work: Contractor shall submit draft to COR and assigned CRCL POC for review. The Contractor and CRCL will discuss the draft report to ensure its accuracy. CRCL will furnish comments and edits to Contractor who shall be responsible for making changes to the draft.<br>The COR must be copied on all assignment correspondence. |
| 4    | <b>Oral Briefings and Ad Hoc Reports or Project-related work</b> | <b>COR CHECKPOINT</b> Due date to be determined by COR and/or assigned CRCL POC and Contractor.   |
| 5    | <b>Edits to Reports and Documents</b>                            | 5 business days after receipt of government comments.   |

#### **4.1.1 Government Acceptance Period**

The COR and assigned CRCL POC will review deliverables prior to acceptance and provide the contractor with an e-mail that conveys acceptance or documented reasons for non-acceptance. The COR or assigned CRCL POC will have ten (10) business days to review deliverables and provide notification of acceptance or rejection.

#### **4.1.2 Post Award Meeting**

The Contractor shall participate in a Post Award Meeting with the Contracting Officer and the COR no later than five (5) business days after the date of award. The purpose of the Post Award Meeting is to discuss the contracting objectives of this contract. The Post Award Meeting will be held at the Government's facility or via teleconference or conference call.

#### **4.1.3 Kick-Off Meeting**

The Contractor shall attend a Kick-Off meeting with the COR and members of the Program Office no later than 5 business days after the date of award. The purpose of the Kick-Off meeting, which will be chaired by the COR, is to discuss the technical objectives of this contract. The Kick-Off meeting will be held at the Government's facility, located in Washington, DC or by conference call. The specifics of the meeting will be provided upon contract award.

#### **4.1.4 Progress Reports**

The Project Manager (Contractor) shall provide progress reports as needed to the COR via electronic mail. This report shall include a summary of all Contractor work performed, including an assessment of technical progress, written and analytical progress, schedule status, any travel conducted and any Contractor concerns or recommendations for the previous reporting period.