



May 4, 2016

MEMORANDUM FOR: Sarah R. Saldana
Director
U.S. Immigration and Customs Enforcement

Gwendolyn Keyes Fleming
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U.S. Immigration and Customs Enforcement

FROM: Megan H. Mack 
Office for Civil Rights and Civil Liberties

Susan Mathias 
Assistant General Counsel (Legal Counsel)
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SUBJECT: Bedford Heights City Jail
Complaint No: 12-06-ICE-0278¹

This memorandum discusses the outcome of the investigation conducted by the U.S. Department of Homeland Security (DHS), Office for Civil Rights and Civil Liberties (CRCL), into conditions of the detention for U.S. Immigration and Customs Enforcement (ICE) detainees at the Bedford Heights City Jail in Bedford Heights, Ohio. Following a collaborative process between ICE and CRCL that focused on findings and recommendations made by CRCL's subject matter experts, ICE informed CRCL that it is no longer using this facility. Consequently, as of the date of this memorandum, CRCL is closing the above-listed complaint.

Background: On March 9, 2012, CRCL received a referral from the DHS OIG hotline. In the call to the hotline, an anonymous female detainee at BHCJ alleged that the living conditions were unsanitary and that 15 women were housed in one room with an uncovered toilet. Additionally, the complainant stated that she was attacked by a fellow detainee with bipolar disorder who had been denied medicine. The complaint also alleged that the female African-American officers at the facility berate her and other white detainees with racial epithets and mock her for her ethnicity.

On January 10, 2014, ICE ODO released a report following a November 19 – 21, 2013, compliance inspection of BHCJ evaluating its compliance with the 2000 National Detention Standards and the 2011 Standard 2.11 Sexual Assault and Abuse Prevention and Intervention

¹ The subject referenced in this memorandum is anonymous.

(SAAPI). ODO found a total of 29 deficiencies in 13 standards related to Access to Legal Material; Admission and Release; Detainee Classification System; Detainee Grievance Procedures; Detainee Handbook; Disciplinary Policy; Environmental Health and Safety; Food Service; SAAPI; Special Management Units; Staff-Detainee Communication; and Telephone Access. Based upon the complaints CRCL had received and the findings of the ODO report, CRCL decided to perform an onsite investigation.

CRCL conducted a site visit to BHCJ in September, 2014, with the assistance of three subject-matter expert consultants, including a medical consultant, a corrections consultant, and an environmental health and safety consultant. In April 2015, CRCL provided ICE with a memorandum that detailed the 38 recommendations made by the experts following the site visit. The recommendations addressed medical care, general corrections, and environmental health and safety.

In a memorandum dated May 15, 2015, ICE responded that it no longer houses detainees at BHCJ. ICE stated that in the event that ICE resumes housing detainees at BHCJ, it will reassess the recommendations. In a November 25, 2015, memo CRCL replied that it had been made aware of detainees housed at BHCJ on a short term basis since CRCL's site visit. ICE replied on December 21, 2015, that the last date ICE utilized BHCJ was April 27, 2015.

Conclusion: Following the collaborative process described above, CRCL has concluded that this complaint will be closed. Although CRCL requires no additional response regarding the housing of ICE detainees BHCJ at this time, CRCL reiterates that ICE has agreed to not use the facility prior to responding to CRCL's recommendations. We appreciate ICE's collaboration with CRCL on these recommendations.

It is CRCL's statutory role to advise Department leadership and personnel about civil rights and civil liberties issues, ensuring respect for civil rights and civil liberties in policy decisions and implementation of those decisions. As a result, we appreciate the work that has been done by ICE and BHCJ to address CRCL's concerns. We have taken into account this important work in addressing our concerns, and accordingly CRCL is formally closing the complaint identified in this memorandum. If you have any questions, please contact the Director of the Compliance Branch, Dana Salvano-Dunn, at (b) (6) or (b) (6)

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