



Homeland
Security

December 10, 2019

MEMORANDUM FOR: Matthew T. Albence
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U.S. Immigration and Customs Enforcement

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FROM: Peter E. Mina (b) (6)
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SUBJECT: Coastal Bend Detention Center
Complaint Closure for Recommendations on
Complaint Nos. (b) (6)

This memorandum discusses the outcome of the investigation the U.S. Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) conducted into the conditions of detention for U.S. Immigration and Customs Enforcement (ICE) detainees at the Coastal Bend Detention Center (CBDC) in Robstown, Texas. Additionally, this memorandum serves to notify ICE that following a collaborative process between ICE and CRCL, CRCL considers the issues identified by the experts to be closed.

Background:

Beginning in Fiscal Year 2018, CRCL tracked numerous allegations alleging civil rights and civil liberties violations of persons being detained at CBDC in the following areas: inadequate medical care, general conditions of detention and environmental health and safety concerns.

In March 2019, CRCL conducted a site review of CBDC to investigate these allegations. During the site review, CRCL engaged the assistance of three subject-matter experts: a medical expert, a conditions of detention expert, and an environmental health and safety expert. As a result of the staff interviews, document reviews, and direct observation, CRCL's subject matter experts

provided written reports identifying specific concerns in their respective areas and made recommendations to address those concerns.

On May 28, 2019, CRCL provided the experts' written report and recommendations to ICE. On October 16, 2019, CRCL received ICE's responses. Of the nine recommendations sent to ICE, ICE concurred with seven of the recommendations; partially concurred with one recommendation and did not concur with one recommendation.

After reviewing ICE's responses to the one partially concurred recommendation and the one recommendation where ICE did not concur, CRCL believes ICE's responses are sufficient to close all nine recommendations, due to ICE's implementation of the remaining recommended actions. We appreciate ICE working with CRCL on these recommendations.

Recommendations resolved and closed. CRCL would like to highlight the following examples of positive changes stemming from this work:

Regarding CBDC's medical care, CRCL's expert observed that the prescription medications were stored in an unlocked cabinet to provide easy access to the medical providers for issuing first doses of medications and commended the CBDC medical staff for their patient-centered approach to providing rapid access to medications. CRCL's expert, however, recommended that, "CBDC identify a method for perpetual inventory of these medications and that the medication cabinet remains locked when the medical providers are not using the room." In its response, ICE concurred and reported that "CBDC completed training with medical staff on July 1, 2019, regarding storage and control of medications to ensure perpetual inventory of all stock medications and secure storage when medical providers are not in the room." ICE further stated, "the QA nurse, or designee, monitors the medication inventory each week."

CRCL's environmental health and safety expert observed damaged mattresses in the housing units and stated that the "damaged mattresses are placing detainees at risk of infection, as they can no longer be properly cleaned and disinfected." Therefore, she recommended that "CBDC inspect all mattresses and replace those that have cracked or torn covers to facilitate compliance with the PBNDS 2008 Personal Hygiene standard". In its response, ICE concurred and reported that "as of June 24, 2019, the Laundry Supervisor inspects all mattresses before issuance. All damaged mattresses are repaired and properly sanitized before reissuance. Any mattress damaged beyond repair is properly disposed of and replaced by new mattresses to ensure each detainee has suitable, clean bedding."

Partial and Non-concurrences. Concerning CBDC's medical care, there were two recommendations where ICE either partially concurred or did not concur with CRCL's recommendations:

Partial concurrence

(b) (5)

(b) (5)

Non-concurrence

(b) (5)

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 CBDC to address CRCL's concerns. We have considered this important work in addressing our concerns, and accordingly, CRCL is formally closing the complaints identified in this memorandum. This memorandum is our final report regarding CBDC. 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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