



Homeland  
Security

July 29, 2016

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

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Principal Legal Advisor  
U.S. Immigration and Customs Enforcement

FROM: Megan H. Mack   
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SUBJECT: McHenry County Adult Detention Center  
Complaint No. 14 11 ICE-0349  
Complaint Closure and Final Recommendations

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 conditions of detention for U.S. Immigration and Customs Enforcement (ICE) detainees at the McHenry County Adult Detention Center (MCACF) located in Woodstock, Illinois. 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 resolved and closed.

*Background:* In November 2014, CRCL conducted a site review of MCACF to investigate complaints regarding conditions of detention, medical and mental health care, and environmental health and safety at this facility. During the site review, CRCL engaged the assistance of four subject matter experts: a medical doctor, a mental health expert, an environmental health and safety expert, and a corrections expert. As a result of that site review, CRCL's subject matter experts provided written reports identifying specific concerns regarding MCACF and made recommendations to address those concerns.

On November 13, 2015, CRCL provided an Expert Report Memorandum along with the experts' written reports to ICE. On April 14, 2016, CRCL received ICE's responses. ICE concurred with all of CRCL's recommendations and provided comments to explain its responses.

*Recommendations resolved and closed.* To date, ICE has adequately addressed the expert recommendations. We appreciate ICE working with CRCL on these recommendations and would like to highlight the following examples of positive changes stemming from this work:

- CRCL recommended that “MCACF ensure those who cannot read English or Spanish have a method that will allow them to understand the contents of the Handbook.” In its response, ICE concurred and indicated that as of December 21, 2015, the facility’s Detainee Handbook is available as an audio file in English and Spanish. Additionally, as of March 24, 2016, MCACF began using the telephonic interpretation services to interpret the Detainee Handbook for individuals who do not read or speak English or Spanish.
- CRCL also recommended that “MCACF ensure that proper procedures are in place for determining which incidents are PREA, which includes looking at the totality of the circumstances when evaluating PREA allegations to ensure appropriate and accurate reporting.” ICE responded that MCACF implemented the new DHS PREA standards without requiring a contract modification.

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 ICDC to address CRCL’s concerns. We have taken into account 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 ICDC. If you have any questions, please contact the Director of the Compliance Branch, Dana Salvano-Dunn, at (b) [REDACTED] or (b) (6) [REDACTED] (6)

Copy to: ice.civil.liberties@ice.dhs.gov