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Special Reviews and Evaluations

Project #19-039-SRE-CBP

FY 2019 CBP Spot Inspections

Preparer/Date: [REDACTED] 5/13/19 and [REDACTED] 5/15/19
Reviewer/Date: [REDACTED] 5/15/19

Memorandum of Record

DHS OIG, Special Reviews and Evaluations (SRE) Attendees:

[REDACTED], Chief Inspector
[REDACTED], Senior Inspector

DHS OIG, Investigations Attendees:

[REDACTED], Senior Special Agent
[REDACTED], Senior Special Agent

DHS Attendees:

In Person:

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(e3 retrieval) [REDACTED], Phone: (906) 201-[REDACTED]
[REDACTED], Email: [REDACTED]@cbp.dhs.gov

Location:

Date/Time: May 7, 2019, 3:30 PM – 5:00 PM MST

Purpose: Spot Inspection to determine compliance with Custom and Border Protection (CBP) Transport, Escort, Detention and Search (TEDS) standards, medical screening, and transport of aliens.

Conclusion:

- At the Border Patrol “PDT” facility on May 7, 2019, we observed dangerous overcrowding conditions. We observed single adult aliens held in cells designed for about one-fifth as many detainees. Some have been held in standing-room only conditions for days or weeks (Note: OIG returned on 5/8/19 and this is documented in a separate Memorandum of Understanding - See [B.5.15](#)).
- Border Patrol agents raised concerns that overcrowding and prolonged detention represent an immediate risk to the health and safety not just of



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the detainees, but also DHS agents and officers. Border Patrol management on site said there is a high incidence of illness among their staff, and an ongoing concern that rising tensions could turn violent.

- Because, according to CBP staff we spoke with, ICE maintains they do not have the bed space, particularly with adult single aliens, to accept aliens from Border Patrol, the El Paso Sector has been forced to improvise with their own version of temporary long-term alien detention. This includes what the El Paso Border Patrol Station One has implemented with four large white tents (with a capacity of 125 aliens in each white tent for a total of 500) with power, medical operations, showers, sinks, laundry, food, and water to process and temporarily detain family units (and possibly other aliens) until transfer to ICE – with the assistance of detailed personnel from the U.S. Coast Guard, Office of Field Operations, and Dept. of Defense.
- ICE/ERO, rather than Border Patrol, is designed for long-term alien detention with their infrastructure and transportation systems – although these are also now strained with the recent alien surge. It is apparent to OIG that this situation for both Border Patrol and ICE is not sustainable.

Details:

Overall Observations of Walk-Through

DEMOGRAPHICS


- The official maximum capacity at this facility per local Border Patrol personnel is 123 aliens (See [B.5.11](#)).
- We observed aliens in custody as part of Family Units (FAMU) being processed outside in the parking lot area and were not entered into e3 per local Border Patrol personnel. Outdoors, we observed working wash stations, portable toilets, and readily available snacks. As of 5/11/19 per local Border Patrol personnel, these FAMU are now being processed at the El Paso Border Patrol Station One (See [B.5.11](#)).
- Per an e3 “roll call” alien custody list obtained as of 5/7/19, 4:10PM MST (See “PSSC” tab at [B.5.9](#)):
 - Total aliens in custody was 756.
 - Total aliens in custody over 72 hours (“Time at Station”) was 502 (66% of total).
 - Total aliens in custody (“Time at Station”) over two weeks was 33 (4% of total).
 - Total aliens in custody over 72 hours (“Arrest Date/Time”) was 563 (74% of total).
 - Total Unaccompanied Alien Children (UACs) was 14 (2% of total).



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- Total alien minors (non-UACs) was 10 (1% of total).
- Total alien adult females was 216 (29% of total). Note: Total alien adult single females was 214 (28% of total).
- Total alien adult males was 516 (68% of total). Note: Total alien adult single males was 508 (67% of total).
- Although not all 756 aliens were held inside the station, about half were held in a parking lot, but nevertheless with these alien numbers in comparison to the maximum official capacity at this facility, we directly observed dangerous overcrowding conditions. For example:
 - Cell 1 had signage for a capacity of 35 but a head-count reflected around 155 actual adult male aliens in standing room only conditions. There was no realistic space for aliens to lie down and sleep. There was one toilet and sink unit in that cell. The count in e3 was not accurate as the agents were too busy to constantly update the custody logs. For example, the e3 count for Cell 1 was 180, although the actual count was 155.
 - Cell 2 was empty and being cleaned, but 140 adult male detainees were crowding the hallways and common areas at this small facility. Some of them stood right next to the isolation cells with sick detainees; we also observed agents and officers having difficulty maneuvering around this crowd as they were performing their duties and tried to have access to other cells.
 - Cell 3 had signage for a capacity of 12 but a head-count reflected around 76 actual adult female aliens in standing room only conditions. The e3 count for Cell 3 was 57, although the actual count was 76.
 - Further, an adjacent cell (Cell 4) had signage for a capacity of 8 but a head-count reflected around 41 actual adult female aliens in standing room only conditions; the e3 count for this cell was 47. There was no realistic space for aliens to lie down and sleep. There was one toilet and sink unit in that cell.
 - Maintaining hygienic conditions at this facility is a challenge for Border Patrol. In many cells, we observed aliens standing on toilets because of the overcrowding to make room and gain breathing space (consequently, limiting access to sinks/toilets). Further, there were only four temporary showers at this facility. With limited access to showers and clean clothing, detainees were wearing soiled clothing for days or weeks. No dry showers were available.
 - In a review of an adult single alien male (37 years old) activity log from Cuba who had been in custody at this station ("Time at Station") for over two weeks, this document corroborated that showers were not provided at this facility (See  B.5.10).



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- Border Patrol agents, who remained armed in the holding areas because of their concerns with the overcrowding that potentially could result in volatile situations (riots, etc.), and other staff at this facility must enter crowded cells or move large numbers of detainees for meals, medical care and cell cleaning. These personnel believe that they have limited options if detained aliens decide not to cooperate.
- Border Patrol supervisory agents at this facility informed us there is a high incidence of illness among their agents.
- Border Patrol supervisory agents said they could not keep Cubans in the same cells with Central Americans because there were cultural differences that had resulted in confrontations. They also said Cubans tended to be more demanding.
- Border Patrol supervisory agents said that ICE/ERO continues to state that they do not have the bed space, particularly with adult single aliens, so they have been forced in the El Paso Border Patrol Sector to improvise with their own version of temporary long-term detention. This includes what the El Paso Border Patrol Station One has implemented with four large white tents (with a capacity of 125 aliens in each white tent for a total of 500) with power, medical operations, showers, sinks, laundry, food, and water to process and temporarily detain family units and possibly other aliens until transfer to ICE. These white tents are being staffed with the assistance of detailed personnel from the U.S. Coast Guard, Office of Field Operations, and Dept. of Defense. There are also ICE and contractor personnel present to perform DNA testing. (In OIG's experience and our judgment/opinion), ICE/ERO's mission, rather than Border Patrol's, is designed for long-term alien detention with their infrastructure and transportation systems – although these are also now strained with the recent alien surge. It is apparent to OIG that this situation for both Border Patrol and ICE is not sustainable (See [C.1.1](#) and [B.5.25](#)).

INTAKE

- Although we saw parts of the intake process, we did not directly observe it to make analytical conclusions. What we observed is that groups were arriving while we were at the facility, and we observed the triage of hundreds of aliens lining up outside in the parking lot for processing, in very crowded conditions. Again, we observed aliens in custody as part of Family Units being processed outside in the parking lot area and were not entered into e3 per local Border Patrol personnel. As of 5/11/19 per local Border Patrol personnel, these aliens are now being processed at the El Paso Border Patrol Station One (See [B.5.11](#)).



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- We also observed that there was a group of about 75 detainees treated for lice in the parking lot; a group of more than a hundred adult males was lined up to surrender their valuables to the staff, who logged the valuables, such as money, jewelry, and phones and placed those items in small plastic bags. We were told and observed that all the other detainees' property is discarded in a dumpster behind the station. Agents explained that the detainees' property (bags, purses, backpacks) can be wet, have bugs, and be muddy. A supervisor said the agents discard the belongings because the bags present "a biohazard."
- Border Patrol agents said the newest arrivals were kept outside, in one area for UACs and one for family units. Once processed, these groups were waiting for transport elsewhere.
- We observed detailed Office of Field Operations personnel assisting with alien "body movement" inside and outside this facility. Border Patrol supervisory agents said there were about 10 of these detailed personnel at this facility currently.
- We also observed very only limited DHS staff outside, with hundreds of aliens in their custody. For example, when we first entered the parking lot from a side door, no DHS staff were in sight and nobody questioned us for minutes as we walked around the parking lot. Eventually we noticed a couple of OFO officers in the parking lot tending to detainees.

MEDICAL

- On the subsequent visit to the facility on 5/8/19, the SRE team interviewed a Loyal Source medical contractor. (See [B.5.23](#))
- During this 5/7/19 visit, we observed the facility had ample supply of over-the-counter medicine and an up-to-date medical board for the administering of medicine to the detainees.
- Supervisory Border Patrol agents said that they have had aliens in custody who have flu, scabies, chicken pox, etc., at this facility which they try to isolate as best they can. We also heard that agents go to the hospital with a sick detainee on average 5 times a day.

FOOD, WATER, & SUPPLIES

- There were coolers with water and cups in each cell.
- The facility had an adequate stock of food for adults, including Ramen Noodles, burritos, juice boxes, and crackers. The facility provided a variety of food to the detainees, including apples, chicken sandwiches, burgers, hot dogs, and yogurt. The facility stocked pork products, for example ham and cheese croissants and possibly the hot dogs.




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- The facility had food for young children and infants, including formula and baby food.
- The facility had toilet paper, sanitary supplies, and diapers.
- The facility was not using mats, and did not have changes of clothing or other supplies available for most detainees. As stated above, conditions in the alien cells were generally standing room only so there was not realistic space to lie down and sleep. Border Patrol agents said some aliens had been in these standing room only conditions for days or weeks.

HOLDING CELLS

- Temperatures in the general holding areas were about 80 degrees Fahrenheit. However, in one cell full of adult females (about 41 actual aliens in a cell with capacity signage of 8 mentioned above in this document) we noted high temperatures and asked Border Patrol staff to observe the current temperature with their device. They noted a temperature in this cell of 84 degrees Fahrenheit. In the outside parking lot, detainees were being held for processing in areas that did not have heating, cooling, shade, or flooring.
- The cells smelled of what might have been unwashed bodies/body odor, urine, untreated diarrhea, and/or soiled clothing/diapers.
- Cells generally contained trash, cups, and wrappers due to the overcrowding conditions.
- The facility's seven general cells and three small isolation cells (See  B.5.13) are unable to accommodate the number of detainees currently being held at the station within TEDS standards. Further limiting available space is the need to separate detainees with infectious diseases, such as chicken pox, scabies, and influenza, from each other and from the general population.
- See images (at PG/B.5.2 thru B.5.8, too many items to hyperlink) for evidence that detainees were being held in cells with far more detainees than the posted capacity.

TRANSPORT

- We did not observe transport.

TEDS COMPLIANCE ISSUES

- We observed dangerous overcrowding in both the cells and the outdoors holding areas. In the cells, detainees had been held for days or weeks in standing room only conditions with no space to lie down and limited access to showers. Access to sinks/toilets was challenged. Temperatures in the cells were in some cases over 80 degrees Fahrenheit. In the outdoor parking



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lot processing area, families were standing in crowded conditions while they were processed, but overall they were held at the facility less time.

- Border Patrol agents said the conditions represented a risk to the health and safety of detainees, and of Border Patrol agents and detailed staff. They observed that staff were getting sick. We observed many of the DHS staff wearing face masks. Border Patrol agents also shared that they are “embarrassed” and “frustrated” that the detainees are held in such sub-par conditions.
- Border Patrol agents also observed that there was a risk of violence because of the crowded conditions, and because some of their longest term detainees were Cuban detainees, who were more demanding than Central Americans.
- We observed non-uniformed staff discarding backpacks and luggage items.

LANGUAGE

- CBP staff said the language line worked, providing translation for indigenous languages from Mexico and Central America, and for languages from other world regions.
- The OIG team did not test the language line.

CONSULAR ACCESS

- The OIG team requested custody logs for aliens held for the longest periods, and will review these for information on consular calls.

MISCELLANEOUS

- When asked why ICE had not picked up the long term custody cases, Border Patrol agents said the closest facilities were Otero and the El Paso Processing Center. They said they are not given a reason they don’t take detainees other than there is enough bed space. As stated above, the El Paso Border Patrol Sector has improvised to detain aliens for longer than 72 hours.
- Cuban single adult females and males attempted to get the OIG team’s attention, by staring, waving, and shouting. Because of safety concerns and CBP’s challenges processing detainees, we did not conduct any interviews.

CLOSE-OUT AT END OF VISIT

- The OIG team did not conduct a formal close-out at the end of this May 7, 2019, site visit.

(El Paso area Management Alert OIG developed Recommendations are at

🚩ISS.1)



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Preparer/Date: [REDACTED] 5/14/2019
Reviewer/Date: [REDACTED] 5/16/2019

Memorandum of Record

DHS OIG, Special Reviews and Evaluations (SRE) Attendees:

[REDACTED], Chief Inspector
[REDACTED], Lead Inspector
[REDACTED], Intelligence Officer
[REDACTED], Senior Inspector

DHS OIG, Investigations Attendees:

[REDACTED], Senior Special Agent
[REDACTED], Senior Special Agent
[REDACTED], Special Agent

DHS Attendees:

In Person:

[REDACTED], [REDACTED] (detailed from [REDACTED]
Station)
[REDACTED], [REDACTED] (detailed from [REDACTED]
[REDACTED], [REDACTED], deployed from U.S. Coast Guard
(Coast Guard)
[REDACTED], [REDACTED], deployed from Coast
Guard
[REDACTED], [REDACTED] Coast Guard
[REDACTED]¹, [REDACTED]², [REDACTED]¹ t
[REDACTED] (detailed from [REDACTED])
[REDACTED], [REDACTED]

Location: [REDACTED]

Date/Time: May 7, 2019, 9:30 to 12:30

¹ In Global Address List (GAL) as [REDACTED]@cbp.dhs.gov

² Not in GAL



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Purpose: Spot Inspection to determine compliance with Custom and Border Protection (CBP) Transport, Escort, Detention and Search (TEDS) standards, medical screening, and transport of aliens.

Conclusion:

- Station 1 had overcrowded holding cells in the station, and military tents set up outside, each housing dozens of detainees in crowded conditions with room to lie down, but packed together. Detainees in tents had access to toilets and drinking water. Detainees were fed meals and snacks, but were not allowed to keep food because there had been rats.
- Border Patrol was not able to get a food contract; they were using government credit cards to purchase food every day. They were feeding detainees ham and cheese sandwiches, but were starting to obtain other food options, including fresh apples.
- Border Patrol was setting up spacious white tents, each with portable toilets, showers, drinking stations, refrigerators, and a command center. The tents will be used for family units who have an appointment with Immigration and Customs Enforcement (ICE) for issuance of a Notice to Appear and release.
- Border Patrol management expressed concern about conditions at Paso Del Norte Bridge Border Patrol Station (PDT), which they described as “chaos.” They said it troubles their Agents to see adults who have no place to sleep.

Details:

- The team arrived at the facility at 9:00, but did not start the walkthrough until 9:30. Initially Agent [REDACTED] led the team, but he was on detail from Minnesota and not familiar with operations. Agent [REDACTED] later took over the walk through.
- There was a full waiting room where detainees were sitting in chairs waiting for their notices to appear (NTAs) to be processed.

Overall observations of walk-through

DEMOGRAPHICS

- While waiting in the control room for the walkthrough to start, we overheard an agent say that some of the aliens were unaccounted for (has not been processed into the facility).
- At the start of our walkthrough, we received a hard-copy roll call with about 700 detainees. **[2019-05-07 OBP Station 1 Roll Call No Time In Custody]**



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SHQ_718119051308100.pdf]] The e3 data system crashed while we were in the facility, so we did not get a custody log at the end of our visit. [REDACTED] obtained an electronic copy of the May 9, 2019, Station 1 custody log from the Deming Border Patrol station. [[2019-05-09 El Paso BP Station One - Alien Custody List (See PSSC Tab).xlsx]]

- Total aliens in custody: 1,805
- Total aliens in custody over 72 hours (time at station): 889 (49 percent)
- Total aliens in custody over 72 hours (arrest date/time): 1,287 (71 percent)
- Total UACs in custody: 49 (3 percent)
- Total Minors (non-UACs) in custody: 239 (13 percent)
- Total as part of Family Units: 446 (25 percent)
- Total Adult Females in custody: 703 (39 percent)
- Total Adult Males in custody: 814 (45 percent)

INTAKE

- We did not observe intake.
- Most of the detainees on site had been in custody for longer than 71 hours. Border Patrol said most had been processed, but were waiting for transport to an ICE facility. They were dividing nationalities by Central Americans, Cubans, and “other than Cubans” (OTC) for example Brazilians.
- Border Patrol said they have had female detainees who have been in custody for longer than 30-40 days waiting for ICE to have room. [OIG Note: from the Custody List, it is not clear how many of these women had been on site and processed for this long.]

MEDICAL

See [[2019-05-07 MOR Station 1 BP Medical.docx]]. The Coast Guard was providing medical care at Station 1.

FOOD & WATER & SUPPLIES

- There were coolers with water and cups in each cell. Outdoors there were water stations with drinking water.
- The facility had adequate supplies of food for adults and children, including formula and baby food.
- The facility had toilet paper, sanitary supplies, and diapers.
- There were a lot of supplies, food, hygiene items, Mylar blankets.



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- For the detainees held in outdoor tents, food was given three times a day, and snacks three times a day. Detainees were not allowed to keep food in the tents, because there had been rats.
- The Border Patrol has been feeding detainees ham and cheese sandwiches. They are trying to get chicken sandwiches and hot dogs. When [REDACTED] suggested they phase out the ham sandwiches Border Patrol staff said the demographics at Station 1 are not people who won't eat pork products, they've become bored with the food because they are on site a long time. They also said that given they're paying for the food on a credit card, it is not realistic to ask their staff to call in complicated orders every day.
- Station 1 does not have a food contract; they have been trying to get one on place for months. The contracting officers says the can't get it resolved, but they don't know why. Every morning based on the number of detainees, they call in for supplies. They have two civilians who split the costs on their government credit cards. They said management is aware they're splitting orders to stay under the limits.

HOLDING CELLS

- Temperatures indoors were in the normal range.
- With the exception of cells used for medical isolation, the indoor cells were well over capacity; there was not room for everyone in the cell to lie down.
- We observed a family in one of the isolation cells being treated for an infectious disease; the door was ajar to allow them to come out and use the toilet.
- There were several military style tents [[2019-05-07 EP Station One - Outside Army Tent #2 Women_Kids.JPG]] in which detainees had sleeping bags, and sufficient room to lie down, but conditions were crowded. Border Patrol had installed fans for air circulation at each end of the tent. Conditions were hot and stuffy, but not insufferable.
- There were dozens of detainees outside the tents, in a shaded area, with canoe beds and mattresses. They had some freedom of movement to go to the portable toilets and water dispensers.
- We observed three large military style tents housing women, or men. Each had room to lie down, but outside the tents was gravel with minimal space to sit or move around. The women could move around to toilets and retrieve drinking water in the area where a medic was working. Detainees filled coolers with water and moved it to the outside of the tents. There was no one in the medical room at the time of our walkthrough, but we observed medical supplies. Usually the medic sitting inside the van is an emergency medical technician.



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- There were tents housing women with children, and tents housing men with very young children.
- Border Patrol said the tents get hot in the mid-day. They have been buying fans to improve circulation.

TRANSPORT

- We did not review transport vehicles.
- Border Patrol said they take detainees to Santa Teresa or Deming around noon each day for appointments with Immigration and Customs Enforcement (ICE) for processing. They do not have enough vehicles to make multiple trips or return empty, so detainees are being transported and then wait in a group.

TEDS COMPLIANCE ISSUES

- Border Patrol uses the e3 data system to alert them when someone needs a shower. At about 72 hours they take a group of women, about 10 at a time, to the shower stalls for showers.
- Border Patrol said they are able to move mothers with kids and fathers with kids into ICE custody relatively quickly.
- When asked how they ensure detainees are not overlooked in such crowded conditions, Border Patrol said they work the caseload backwards by event number.

LANGUAGE

- We did not ask about language issued.

CONSULAR ACCESS

- We did not ask about consular access.

MISCELLANEOUS

- We overheard a Coast Guard officer recommend that the Border Patrol put up a tent or some shade where detainees are waiting in the sun for showers. During the walkthrough, Border Patrol said they had tried keeping putting up a shade, but the wind kept knocking it down.
- There was a shower trailer outside the station. The wind had broken the doors on two stalls, but the others were functional. We did not observe anyone using the showers – a civilian passed us with two family units in tow, making a comment about a misunderstanding about where they were supposed to be.
- Station 1 placed the shower trailer where it was (in a windy area) because they needed access to drains and power. They said the sector bought the



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trailer. There were bins with clean and used towels, which a janitorial service manages.

- They do not have changes of clothes for the detainees, but are buying clean underwear so they can at least change out.
- CBP Office of Field Operations was assisting with custody management, sitting outside tents.
- We observed a processing area where there were more than 10 computer monitors set up for Border Patrol to process, and rows of families waiting in chairs. Fathers and kids were separated from mothers and kids.
- ICE has been working weekends to process family units for about seven months.

EXPANSION PLANS TO WHITE TENTS & TRAILERS

- At the end of our site visit we were taken to a separate site that was being developing for mass processing. There were several spacious white tents [[2019-05-07 EP Station One - New Processing Tent.JPG]]. The plan is that family units who have ICE appointments will come to the tents, be served their papers by ICE, and then transported to a bus station. They said they are setting up for processing, and they have 47 new cases coming from Lordsburg.
- They predict the tents will be full as soon as they are set up. The tents are identified by colors (red, blue, etc.) rather than numbers.
- The tents will have 36 showers; they have started bringing detainees who are housed in the military tents and indoors there for showers. There were towels on site, and a large laundry room for Washington the towels. Each tent also had large refrigerators.
- The have room in the tents to separate so fathers with kids, mothers with kids, and older girls separated from fathers for safety can be held.
- The tents had a makeshift command center in the middle, a wooden structure with stairs up to a platform where an officer can sit, with access to a computer and the internet. In addition, it had temperature clocks, which read between 70 – 73 degrees.
- The tents had a linoleum floor, which was clean but uneven.
- Each tent had portable toilets and drinking stations, with detainees being able to use them whenever they needed.
- Detainees would be given mattresses and mylar blankets.
- We observed that they were stocking the tents with burritos, milk, and fresh apples.
- The capacity identified for each white tent was 125.
- At the White Tents, they were setting up a medical station. See [[2019-05-07 MOR Station 1 BP Medical.docx]] for details.



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- A DNA tent was being set up in the parking lot. The goal is to be able to verify family units quickly, within 90 minutes, when there is a question.

CLOSE-OUT AT END OF VISIT

- Border Patrol's goal is to have a standardized process to bring family units to ICE for processing within 24 hours. They process out about 400 to 800 families a day.
- Unaccompanied alien children are being sent to the Clint Border Patrol station, where they are being processed for release.
- Border Patrol management described Paso Del Norte Bridge Border Patrol Station (PDT) as "chaos." They said Agents at PDT and other stations are moving their retirement dates forward rather than work in the current conditions indefinitely. They said some are moving to other agencies. They said it troubles agents at PDT to see adults who have no place to sleep and it concerns them at Station 1 to see fellow agents having to work in those conditions. They have a Chaplain on staff who is counseling agents, but the current situation where aliens are simply giving themselves up to the Border Patrol [and Border Patrol must detain] is causing low morale and high anxiety. They are seeing more drinking, domestic violence, and financial problems among their Agents.
- They have to separate single adult males, Cubans have to be separated from Central Americans
- In the White Tents, they will be supported by both Coast Guard and the CBP medical contractor Loyal Services.
- They recognize they have a humanitarian issue with detaining single adults for so long, but believe if they do not have a consequence delivery system, either prosecution or ICE detention, the flow will increase.
- They are receiving great support from Office of Field Operations (OFO), Coast Guard, and civilians, and there has been a discussion about Federal Protective Service (FPS) helping out. However, they need "gun toters" [OIG Note: CBP Border Patrol and OFO] to deal with the tents.
- Given conditions, they have some concern there could be a riot or a hunger strike.
- Transportation is a challenge. They do not have the vehicles to transport everyone. The contractor G4S has a limited contract, and they cannot exceed the number of hours on the contract.
- When asked about the situation with the food contract, CBP management said there was no word on the Statement of Work for the contract, and they did not know who could resolve it. They said the Cubans had gotten tired of eating burritos, and they needed to offer something else. Right now the food for over a thousand detainees a day is being paid for by two civilian staff on



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credit cards, and they're spending \$10,000 a day on cards not designed for that purpose.

- Border Patrol management said they are reporting their difficult working conditions and huge case load to the Sector every day, and the Acting Commissioner and Acting Secretary are aware of what is happening. They have all their numbers broken down by age, time in custody, and other details.
- Border Patrol management said they would like to have asylum officers on site doing credible fear interviews. They said the Border Patrol has released about 350,000 aliens already and 90% are no shows for court. [OIG Note: this statistic is cited widely, but is not verified by the Department of Justice.³]
- Station 1 has received detainees from 50 countries. They have heard there are 1,200 Cubans in Juarez, and are not certain why they have not yet tried to cross. They are concerned there will be a surge of Venezuelans (due to political situation) or Indians. They said that initially aliens coming to Ports of Entry to request asylum said they were not afraid to return to Mexico to wait, but as soon as they realized they would not be allowed into CBP custody if they said that, they started raising a fear of waiting in Mexico.

Documents Received:

Follow-up:

From: [REDACTED]@oig.dhs.gov>
Sent: Thursday, May 30, 2019 7:57 AM
To: [REDACTED]@oig.dhs.gov>
Subject: As discussed

Here is what I have from [REDACTED] in my notes:

"We are very concerned of humanitarian aspect of single adults – they are anew bottleneck, but not for us – we process them within 72 hours and then wait for transport and placement. FAMUs move much faster because ICE is ORing them."

³ <https://www.justice.gov/eoir>





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Preparer/Date: [REDACTED] 5/13/2019
Reviewer/Date: [REDACTED] 5/13/2019

Memorandum of Record

DHS OIG, Special Reviews and Evaluations (SRE) Attendees:

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[REDACTED], Intelligence Officer
[REDACTED], Senior Inspector

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[REDACTED], Senior Special Agent
[REDACTED], Senior Special Agent
[REDACTED], Special Agent

DHS Attendees:

In Person:

[REDACTED]
[REDACTED], [REDACTED]
[REDACTED], [REDACTED] r [REDACTED]

Location:

[REDACTED]

Date/Time: May 8, 2019

Purpose: Spot Inspection to determine compliance with Custom and Border Protection (CBP) Transport, Escort, Detention and Search (TEDS) standards, medical screening, and transport of aliens.

Conclusion:

At the PDT Border Patrol station on May 7, 2019, we observed dangerous overcrowding. We observed single adult females and males held in cells designed for one-eighth as many detainees. Some have been held in standing-room only conditions for days or weeks. When we returned on May 8, 2019, we observed that some family units and adult females had been transferred, but most adults remained, and additional detainees had arrived. Border Patrol agents raised concerns that overcrowding and prolonged detention represent



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an immediate risk to the health and safety not just of the detainees, but also DHS agents and officers. CBP management on site said there is a high incidence of illness among their staff, and an ongoing concern that rising tensions could turn violent.

Details:

Overall observations of walk-through

DEMOGRAPHICS

- We conducted a site visit of Paso Del Norte Bridge (PDT) Border Patrol Station on May 7, 2019 [\[\[See 2019-05-08 MOR PDT BP Facility.docx\]\]](#). Because the OIG team that visited the facility on May 7, 2019, observed dangerous overcrowding, prolonged detention, and disposal of dozens of items of detainee property, we determined that a return visit was merited.
- The team that visited on May 7, 2019, said conditions were less crowded in the family units. We observed working wash stations, portable toilets, and readily available food.
- Border Patrol staff said there were about 900 detainees on site. They had caught 415 detainees overnight, but had moved 600. 300 of the detainees were held indoors in cells, the remainder in tents on the grounds.
- Among the challenges to managing existing cell space:
 - PDT staff said they could not keep Cubans in the same cells with Central Americans because there were cultural differences that had resulted in confrontations. They also said Cubans tended to be more demanding. They had moved 10 Cubans, but some had been in the facility for three to four weeks. We observed (see photos) a cell with a posted capacity of 35 housing closer to 100 detainees. Conditions were so crowded most detainees were standing, some on the toilets.
 - Interview room 2 had only pregnant females; there was sufficient room for them to lie down.
 - Interview room 3 held only a father and son, to isolate a scabies case.
 - Interview room 4 had flu cases.
- Border Patrol agents observed the detainees were raising medical complaints just to “get some freedom” from the crowded cells.
- Border Patrol agents said there are about two detainees a week who are being sent to the hospital to give birth. Some return to the facility and some are released on their own recognizance.
- For UACs, the e3 module showed 10 at the facility and 27 moved to Clint.

INTAKE



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- We did not observe intake. A group arrived while we were at the facility, and we observed them lining up outside for processing, in very crowded conditions.
- Border Patrol agents said the newest arrivals were kept outside, in one area for Unaccompanied Alien Children (UACs) and one for family units. Once processed these groups were waiting for transport elsewhere.
- There were some additional Cubans who had arrived that day.

MEDICAL

- The team interviewed a Loyal Source medical contractor. (See **[[2019-05-08-MOR PDT BP Medical*.docx]]**)
- The facility had ample supply of over-the-counter medicine and an up-to-date medical board for the administering of medicine to the detainees.

FOOD & WATER & SUPPLIES

- There were coolers with water and cups in each cell.
- The facility had an adequate stock of food for adults, including Ramen Noodles, burritos, juice boxes, and crackers. The facility provided a variety of food to the detainees, including apples, chicken sandwiches, burgers, hot dogs, and yoghurt. The facility stocked pork products, for example ham and cheese croissants and hot dogs.
- The facility had food for young children and infants, including formula and baby food.
- The facility had toilet paper, sanitary supplies, and diapers.
- The facility was not using mats, and did not have changes of clothing or other supplies available for most detainees.
- Border Patrol agents said they are trying to get a change of clothing for females, observing that the lack of clean clothes is “wearing down on them”

HOLDING CELLS

- Temperatures were in the normal range inside, but outside detainees were being held for processing in areas that did not have heating, cooling, shade, or flooring (detainees were held on gravel parking lots).
- The team that visited on May 7, 2019, said the facility was cleaner than on the previous day – they had smelled what might have been untreated diarrhea or soiled diapers. CBP was making an effort to clean the cells. When CBP opened Cell 1 to move some of the Cuban detainees, the smell was noticeable.
- See photographs for evidence detainees were being held in cells with far more detainees than the posted capacity.



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- A mother was breast-feeding her child on one of the processing benches, with no privacy.

TRANSPORT

- We did not observe transport.

TEDS COMPLIANCE ISSUES

- We observed dangerous overcrowding in both the cells and the outdoors holding areas. In the cells detainees had been held for days or weeks in standing room only conditions. For example, single adult Cubans had been held for longer than 20 days. In the processing area families were standing in crowded conditions while they were processed, but overall they were held at the facility less time.
- Border Patrol agents said the conditions represented a risk to the health and safety of detainees, and of Border Patrol agents and detailed staff. They observed that staff were getting sick. We observed many of the DHS staff wearing face masks. One Border Patrol agent said that more staff are calling in sick, approximately 4-10 a shift. In addition, the agent said that staff CA-2¹ medical forms for contracting lice and scabies were being rejected by supervisors.
- Border Patrol agents also observed that there was a risk of violence because of the crowded conditions, and because some of their longest term detainees were Cuban detainees, who were more demanding than Central Americans.
- The team that visited on May 7, 2019, observed non-uniformed staff discarding dozens of backpacks. When asked on May 8, 2019, about this practice, Border Patrol agents said:
 - They had to get a bigger dumpster, because the one they had was filling up three times a week.
 - If aliens are sent for prosecution, they store property (up to 44 pounds) until they return.
 - They are discarding dozens of backpacks because they are finding “pee bottles” (bottles for urinating), food, knives, and other hygiene risks.
 - Detainees are only allowed to take into the facility what they are wearing and their medications. They do look through the property for medications, and the medics decide what can be kept or replaced.
 - They keep detainee valuables, for example jewelry and passports, in a plastic bag, and have the alien sign for any property, including money (detainees sign I-213 property form for money, even zero dollars).

¹ Notice of Occupational Disease and Claim for Compensation



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- El Paso had developed a local “abandonment of property” form, which did not have a form number.

LANGUAGE

- CBP staff said the language line worked, providing translation for indigenous languages from Mexico and Central America, and for languages from other world regions.
- The OIG team did not test the language line.

CONSULAR ACCESS

- The OIG team requested custody logs for aliens held for the longest periods, and will review these for information on consular calls.

MISCELLANEOUS

- When asked why ICE had not picked up the long term custody cases, Border Patrol agents said the closest facilities were Otero and the El Paso Processing Center. They said they are not given a reason they don’t take detainees. Border Patrol agents say they call daily to ask ICE for help, but the response they get is “we’ll call” [when we have space].
- Border Patrol agents said that HQ is aware of the prolonged tension and overcrowding. As an example, they said they will get a call if they mistype the length of detention for an unaccompanied minor.
- Border Patrol agents said there were serious morale problems at PDT among the officers, citing illness and working conditions. We observed a poster CBP had constructed offering suicide prevention options for detailed CBP staff.
- The OIG team requested a list of the custody logs of the 10 males and five females held in detention the longest.
- We observed Border Patrol agents, and detailed Office of Field Operations staff, moving about the cells with guns. At one point an agent carried a long gun through the processing area. Some cells were open to allow some freedom of movement to UACs; we observed older boys leaving their cell.
- When moving groups of a dozen or more single males, the only precaution CBP took was to have them lace their hands behind their heads.
- Cuban single adult females and males attempted to get the OIG team’s attention, waving and shouting. Because of safety concerns and CBP’s challenges processing detainees, we did not conduct any interviews.

CLOSE-OUT AT END OF VISIT

- We did not conduct a formal close-out at the end of the May 8, 2019, visit.

Documents Received:



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Preparer/Date: [REDACTED] 5/8/2019

Reviewer/Date: [REDACTED] 5/13/2019

Memorandum of Record

DHS OIG, Special Reviews and Evaluations (SRE) Attendees:

[REDACTED], Lead Inspector
[REDACTED], Intelligence Officer

DHS Attendees:

None – interview was conducted with Loyal Source medical contractor

Location:

[REDACTED]

Date/Time: May 8, 2019, 3:00 – 3:15

Purpose: Interview to understand progress CBP's Border Patrol (BP) has made on introducing additional medical support on the southern border.

Conclusion:

Medical care at the Paso Del Norte Bridge Border Patrol Station (PDT) is provided by Loyal Source, a Customs and Border Protection (CBP) contractor. Medical staff have been on site for three months. Loyal Source uses standardized forms to screen detainees, and tracks detainees who need medication using red wristbands and red stickers on detainee folders. Loyal Source said their communication with CBP has been good, they are able to get permission to take detainees to emergency care when needed.

Details:

Medical care at the Paso Del Norte Bridge Border Patrol Station (PDT) is provided by Loyal Source, a Customs and Border Protection (CBP) contractor. Medical staff have been on site for three months.

Intake/Medical Assessment

Loyal Source has a standardized form it uses for intake screening. They look at detainee arms, stomach and back, and screen for lice, scabies, and chickenpox.

CBP prioritizes the Unaccompanied Alien Children (UACs) first for screening and processing.



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Loyal Source will screen anyone who appears ill, for example anyone with a fever. They also treat injuries, and will inform CBP of anyone who needs to be taken for emergency treatment.

Language Barrier

We observed the Loyal Source Contractor speaking in Spanish to a detainee. He said they do not have difficulty obtaining translation services if needed.

Medication

Loyal Source had a drawer full of over the counter medications they could give to detainees. They keep antibiotics on site, but not narcotics. Some detainees come with medications, which medics will either verify that it is an appropriate medication, or send out for a replacement prescription.

We observed that detainee medications are bagged and kept in a cabinet separated by the month in which detainees were born. The Loyal Source staff said this made it easier to sort out the medications than using last names.

To keep track of medications, Loyal Source places a red band on detainees who require medication, and a red band on the alien file. Every morning they review medications, and go to the cells to dispense what is needed. Given the number of detainees at PDT (about 800), relatively few were on medications.

Increase in Detainee Medical Issues

The Loyal Source contractors have only been on site three months. They have seen incidents of lice, scabies, and chicken pox. There are isolation cells dedicated to housing Unaccompanied Alien Children (UACs), females and males with illnesses, and scabies. There was a group who were sent to Border Patrol Station 1 for treatment for lice.

Medical Training

Loyal Source has at least one staff person on site who is a physician's assistant or nurse practitioner.

Miscellaneous:

Loyal Source said cooperation from CBP has been good. If needed, the medics do not have difficulty with CBP transporting aliens to the emergency room.

Loyal Source uses the same medical screening and discharge papers as the staff at Clint. Any emergency care and regular care records go in the alien file in paper for transport with the detainee.



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