

OIDO Annual Report 2023



OIDO
Office of the Immigration
Detention Ombudsman

Friday, March 29, 2024

The Honorable Patty Murray (D-WA)

Chair, Senate Committee on Appropriations

The Honorable Susan Collins (R-ME)

Vice Chair, Senate Committee on Appropriations

The Honorable Christopher Murphy (D-CT)

Chair, Senate Committee on Appropriations,
Subcommittee on Homeland Security

The Honorable Katie Britt (R-AL)

Ranking Member, Senate Committee on Appropriations,
Subcommittee on Homeland Security

The Honorable Kay Granger (R-TX)

Chair, House Committee on Appropriations

The Honorable Rosa DeLauro (D-CT)

Ranking Member, House Committee on Appropriations

The Honorable David Joyce (R-OH)

Chair, House Committee on Appropriations,
Subcommittee on Homeland Security

The Honorable Henry Cuellar (R-TX)

Ranking Member, House Committee on Appropriations,
Subcommittee on Homeland Security

The Honorable Gary Peters (D-MI)

Chair, Senate Committee on Homeland Security and
Government Affairs

The Honorable Rand Paul (R-KY)

Ranking Member, Senate Committee on Homeland Security
and Government Affairs

The Honorable Mark Green, MD (R-TN)

Chair, House Committee on Homeland Security

The Honorable Bennie Thompson (D-MS)

Ranking Member, House Committee on Homeland Security

The Honorable Dick Durban (D-IL)

Chair, Senate Committee on the Judiciary

The Honorable Lindsey Graham (R-SC)

Ranking Member, Senate Committee on the Judiciary

The Honorable Jim Jordan (R-OH)

Chair, House Judiciary Committee

The Honorable Jerrold Nadler (D-NY)

Ranking Member, House Judiciary Committee

Dear Chairpersons and Ranking Members:

The Office of the Immigration Detention Ombudsman is pleased to submit its CY 2023 Annual Report pursuant to Sec. 106 of Division D of the Consolidated Appropriations Act, 2020, Public Law 116-93; 6 U.S.C. § 205. I am available to provide additional information upon request.

Sincerely,



David Gersten

Acting Immigration Detention Ombudsman



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Message from the Acting Ombudsman

When I consider where to focus the story of 2023, there are so many high points. OIDO took in 11,000 complaints, including over 10,000 from individuals who are currently detained, because more people were aware of OIDO's case management services as a result of increased outreach. That means the Office of the Immigration Detention Ombudsman (OIDO) engaged in over 10,000 conversations with detained people—a number that's likely much higher, as our case managers speak directly with detained people on most days, and not all of their discussions result in complaints. We completed 22 inspections and 13 observations, and we issued 11 reports. We held over 140 engagements, reaching new audiences as well as reaffirming our relationships with those we've met before. We traveled to Mexico, across the country, and to both our northern and southern borders to ensure our message reaches as many people as possible. We answered the Secretary of Homeland Security's call to protect the rights of migrants as the Department found itself operating in changing circumstances.

This year, OIDO settled into the roles Congress created and that make sense for us, drawing upon our position as a neutral, independent, and confidential ombudsman office and taking advantage of our flexibility and adaptability. We deepened our expertise by bringing on specialists and strategically training our existing staff. We've worked to systematize our processes for consistency, scalability, and clarity. And we're not done yet: every day this year has represented striving toward improvement. There's still much to do as we streamline our operations.

In 2022, we anticipated we would assess and improve existing field operations through continued collaboration with internal and external partners while we leveraged our on-site presence through case management and detention oversight to make recommendations for systemic change. In 2023 we realized these goals, as you will see throughout this report. While I encourage you to read every part, the report contains several callout boxes from our strategic plan that align with the content contained in each section. We have also created an appendix (Appendix E: Accountability Matrix) that identifies the commitments we made in 2022 and the progress we have made to date. Government can be slow-moving, but persistence and dedication create change—and we in OIDO know the value and impact of everyday actions on making a difference in the long run.

Finally, I can hardly describe how impressed I am by my team, day after day. From being nominated by their peers to receive Department-wide awards to their quick responses to big challenges, they have gone above and beyond what was asked of them. They bring creativity, expertise, and dedication to each task they are given. I could easily acknowledge their contributions for pages, but I will let it suffice to say that none of the accomplishments represented in this report would be possible without OIDO staff working collaboratively across the Nation. I would like to end with my deepest gratitude to them, as well as to those who have supported their work this year.

Sincerely,



David Gersten

Acting Immigration Detention Ombudsman



Executive Summary

OIDO focuses on preserving the rights of detained people and ensuring immigration detention is safe and humane by addressing staff or contractor misconduct; violations of law, detention standards, contract terms, or policy related to immigration detention; and uses of excessive force. As an ombuds office, OIDO adheres to principles of confidentiality, independence, and neutrality, and conducts its operations through direct case management for detained individuals, inspections and audits of detention facilities and contracts, observation reports to senior Department of Homeland Security (DHS) staff, and recommendations for changes to standards, policies, and practices. This report summarizes OIDO's clear 2023 successes in improving the climate of immigration detention.

Promoting a Safe and Humane System Across the Country

OIDO accepts complaints from detained people, their families, and their associates, to be addressed by OIDO in a fair and unbiased manner. The top three categories for received complaints in 2023 were related to medical treatment, facility environment, and contact and communication.

Changing the Immigration Detention Landscape with Novel Approaches

OIDO's unique vantage point as an independent entity in DHS allows the Office to identify and resolve issues that U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) may not have the resources to address. By drawing on the trust earned from detainees and ICE and CBP personnel, OIDO leverages this position to provide timely resolution to issues before they escalate through fast, on-the-ground problem solving.

Reaching People

OIDO's complaint submission system is designed for accessibility, allowing not only detainees but also their advocates and loved ones

to communicate with the Department. In addition, OIDO makes significant effort to engage with stakeholders at every point of the immigration process—including detainees, judges, advocates, and nongovernmental organizations. OIDO conducted a total of 148 stakeholder engagements in 2023.

Findings and Recommendations

One of OIDO's core mechanisms for identifying concerns and improving immigration detention conditions is its presence in the field performing facility inspections. Our subject matter experts independently evaluate facility conditions against the national standards¹ and provide feasible recommendations for improvement. In 2023, OIDO completed 22 inspections and 9 observations and issued 11 inspection reports. These reports included 36 recommendations, 26 of which have been resolved to OIDO's satisfaction leading to facility and process improvements, with OIDO continuing to engage and work with the components on outstanding issues.

Coordination Across the Homeland Security Enterprise

OIDO is meant to be a complementary office within DHS, supporting other components while maintaining its independence and neutrality. In carrying out its mission, OIDO routinely meets with component leadership to coordinate and improve operations. In 2023, OIDO broadened its relationships across the Department to better identify unmet needs and apply our resources to assist, including by reviewing other oversight entities' past inspections, investigations, and detention data from across the enterprise to inform our own inspections and policy work. OIDO also finalized a Memorandum of Understanding with the DHS Office of Civil Rights and Civil Liberties (CRCL) to streamline our complementary areas of oversight and avoid duplication of efforts.

¹ <https://www.ice.gov/factsheets/ice-detention-standards> and <https://www.cbp.gov/document/directives/cbp-national-standards-transport-escort-detention-and-search>



Accountability

In 2023, OIDO increased its role within the Department to meet needs best suited to its mission. OIDO took part in extensive reviews of processes around deaths in custody and disability access and created customer satisfaction surveys to inform our engagements in the future.

Looking Ahead

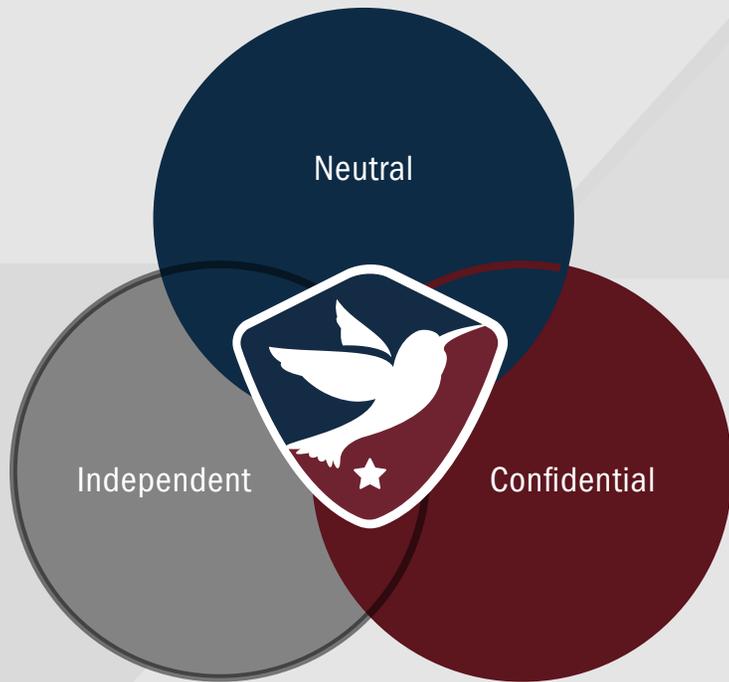
OIDO has begun work on projects that will come to fruition in 2024. Next year, be on the lookout for deeper dives into contracts and the Department's investments in immigration detention, as well as developments in electronic communications within detention and the further refinement of the Immigration Detention Analysis Dashboard.



OIDO OVERVIEW



About OIDO



dhs.gov/OIDO

OIDO is an ombuds office in the Department of Homeland Security.

The Office of the Immigration Detention Ombudsman (OIDO) is an independent and neutral office. OIDO is not a part of ICE or CBP.

OIDO assists individuals with complaints about the potential violation of immigration detention standards or other misconduct by DHS (or contract) personnel and provides oversight of immigration detention facilities.

If you, or someone you know has or had a problem while in immigration detention, OIDO can help.



OIDO's mission is to...

Promote and support safe and humane conditions

Ensure detainees' rights are respected

Make sure detainee needs are met while in detention and during transportation



To achieve our mission, OIDO...



Reviews policies and makes recommendations for system-wide improvements



Conducts announced and unannounced inspections



Administers an independent, neutral, and confidential process to resolve complaints



Works closely with facility staff to address complaints in the field, where issues occur

We're always here

for everyone

impacted by

immigration detention



Builds rapport with the public and with NGOs and Congress

A photograph of three people in a meeting. A man in a light blue checkered shirt is on the left, a woman in a maroon polo shirt with 'OIDO' on it is in the center, and a woman in a purple top is on the right. They are all looking at each other and talking. The background is a bright office space with large windows. The entire image has a blue tint.

**OIDO CY 2023
ACTIVITIES, FINDINGS,
AND RECOMMENDATIONS**

OIDO's CY 2023 Activities, Findings, and Recommendations

Promoting a Safe and Humane System Across the Country

STRATEGIC GOALS

Make on-site observations via case managers in over 90 ICE facilities, supplemented by facility inspections by trained investigators with expertise in detention standards and medical services.

The Office of the Immigration Detention Ombudsman (OIDO) fulfills its statutory mandate and its mission at three levels: case management for individual complaints, inspections and audits for facility-wide issues, and system-wide policy and standards recommendations.

OIDO's headquarters presence is minimal; instead, we emphasize our need to be near detention facilities. Our Case Management team covers the entire country, visiting over 100 facilities each month to check on conditions and speak with people in custody. Our Detention Oversight team has spread its leadership team across the country, from New Jersey to West Texas, and staff also fill roles in Georgia, Arizona, and other areas. Even our Policy and Standards and External Relations divisions maintain a presence outside of the Washington, D.C. area. This positioning allows us to deploy resources rapidly and respond to emerging issues, as was tested this past calendar year.

In 2023, OIDO staff crisscrossed the country to speak with detained people, conduct inspections, meet with stakeholders, and engage in observations. With our persistent presence and unfettered access, OIDO can dive deeper into some areas of detention and reach more people.

While OIDO's area of responsibility extends to all issues facing people in detention—from the moment people are processed in by CBP, through any transportation and transfers, to their eventual release or removal by ICE—some issues stand out as particularly pressing or in need of greater scrutiny. In 2023, complaints covered 10 broad categories, and inspections resulted in findings in 40 issue areas. The top three categories for received complaints were medical treatment, facility environment, and contact and communication. In addition to rectifying facility environment and contact and communication issues, our observations, inspections, and congressional interest led us to focus also on menstrual hygiene and the use of segregation.



OIDO case managers strive to establish a recognizable and approachable presence in detention facilities by visiting housing units, attending orientations, and sitting with detained individuals at mealtimes.

Medical Care

In March 2023, OIDO received recognition for its Ombudsman’s Alert (July 2022)—this timely and effective alert about critical staffing shortages related to a nearly billion-dollar CBP contract for medical services in the Southwest border area received the Secretary’s Award for Innovation. This year, OIDO has continued monitoring medical services throughout immigration detention, delving into contract reviews as well as medical facilities and medical support.



When researching a complaint, case managers may speak directly with other facility personnel, including medical staff, to determine whether the detained individual is receiving necessary services.

OIDO MATTERS

An OIDO case manager remedied a complaint involving incorrectly distributed medications and, as a result, triggered the facility to initiate a medical quality control plan, training on proper medication pass procedures, weekly reviews of those procedures with the medical contractor, and regularly scheduled visits from the medical contractor’s regional manager.

In an initial interview, the complainant told the case manager that he had shared his concerns about the medications given to him with the medical provider, but the provider did not respond and continued to administer the wrong medications. The individual further reported that he fell ill after taking the medications and, after confiding with another detained person, learned that the medications comprised a high dose of sleeping medication, a muscle relaxer, and a psychological medication. The case manager shared these allegations with the Facility Jail Administrator and an ICE officer for review and possible actions, which led to a resolution of the case.

Besides resolving the urgent matter for the specific complainant and fostering a new plan, training, and reviews, this case resembles many other OIDO efforts that may reduce the risk of costly litigation against the Department.

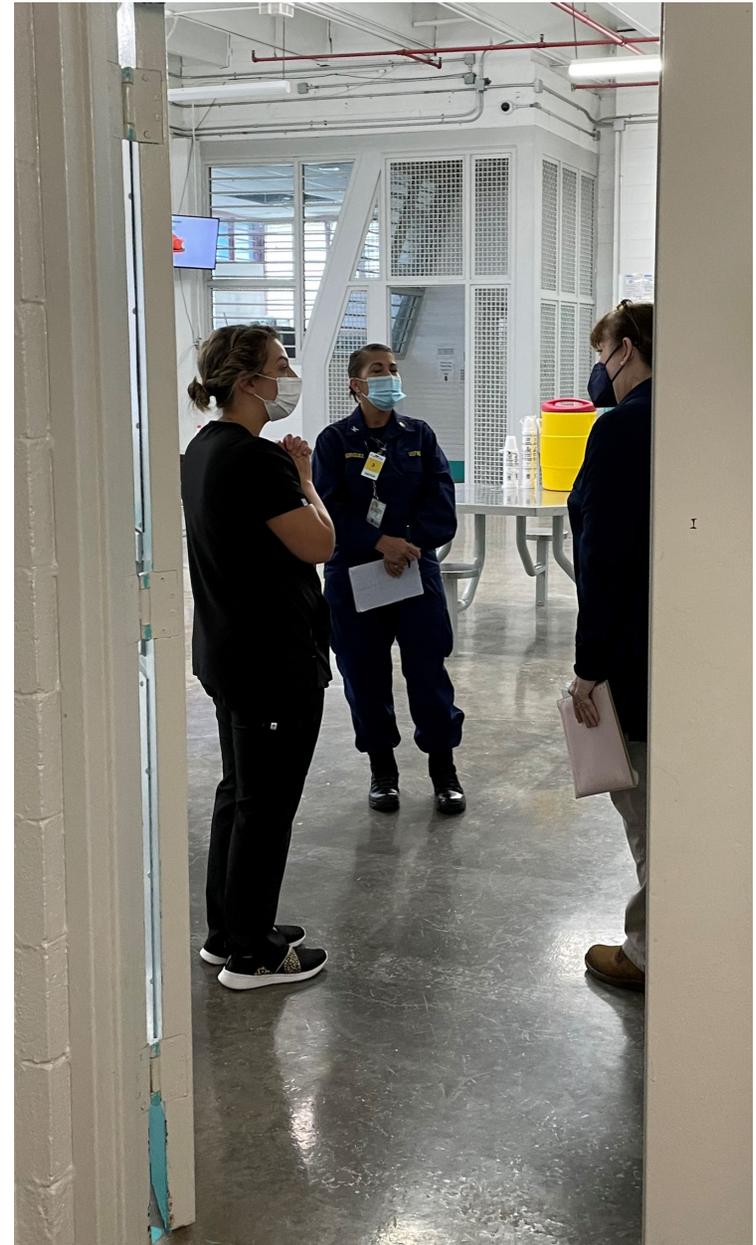


After publishing the Ombudsman’s Alert, OIDO continued to evaluate medical staffing throughout 2023 and issued its “OIDO Review: CBP Medical Support Contract for Southwest Border and Tucson.” OIDO found the contractor did not adequately staff the Tucson medical units. Further, while the contractor itemized its financial invoices, it did not fully review them for accuracy. For several employees, the contractor incorrectly billed for overtime and double time hours.

Our 2022 Ombudsman Alert made it apparent how critical it was to have in-house medical subject matter experts as part of the team. In 2023, OIDO created its own medical support program comprising an advanced practice provider, registered nurses, behavioral health specialists, and a pharmacist. These health care practitioners specialize in detention-related medical services, including the evaluation of access, delivery, and appropriateness of health care services, and have experience in conducting inspections and investigations and reviewing contract terms. Strategically located throughout the United States, OIDO’s medical professionals are available for rapid deployment should inspectors or case managers require assistance.

OIDO’s medical professionals contribute to the mission:

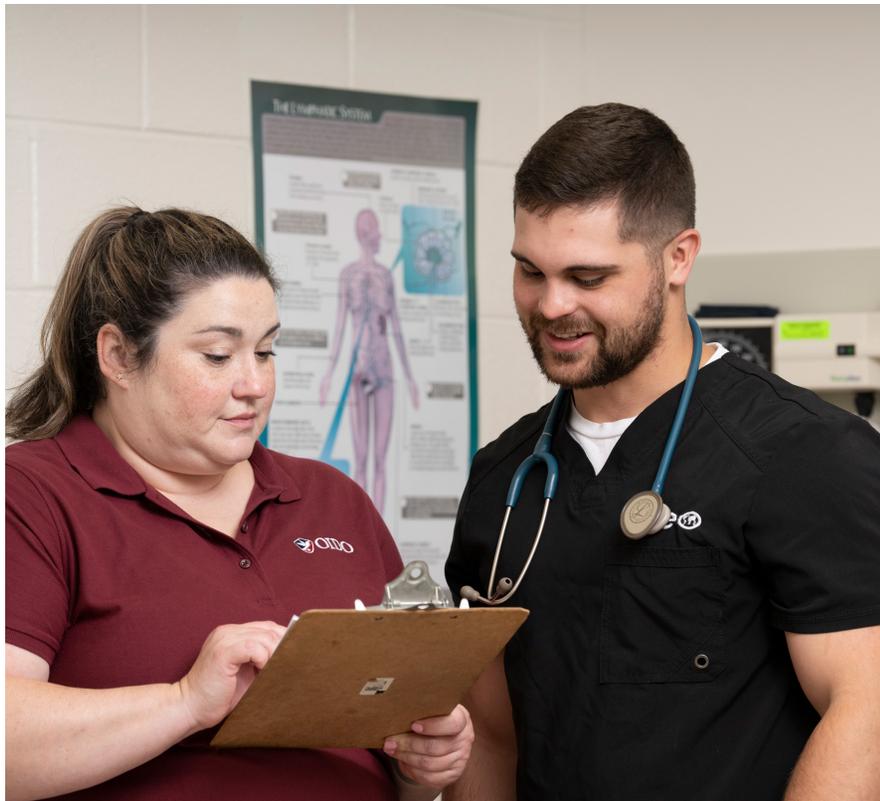
- by providing medical expertise to case managers to address health-related complaints,
- by participating in inspections and investigations to review the quality and timeliness of medical care,
- by reaching out to internal and external stakeholders regarding medical care issues in immigration detention,
- by advising on health care-related policies and procedures governing the immigration detention system, and
- by providing medical expertise and consultation regarding internal OIDO documents addressing workforce health and safety for OIDO personnel.



OIDO’s medical support program has expertise in detention-related medical services and meets directly with care providers in detention settings to discuss recommendations and best practices.

Through collaboration between OIDO and CBP's Office of the Chief Medical Officer, CBP modified its medical services contract, requiring all medical records to be saved in the electronic system of record to prevent unauthorized use and handling of paper forms used for health care evaluations and treatment. In addition, at the request of then-CBP Commissioner Magnus, OIDO and CBP are collaborating on the development of a medical quality management inspection program.

In addition to working with CBP, OIDO medical experts also reviewed previous inspections of ICE facilities and identified patterns of insufficient health care staffing, disorganized and/or expired licensing and credentialing documents, and incomplete training



OIDO's experts conduct inspections specifically focused on the delivery of health care services in detention.

documentation and content. As a result, over the course of 2023, OIDO planned and executed health care-focused inspections at both large and small facilities to further investigate compliance with detention standards and contract terms. These reports will become available in 2024.

One of OIDO's goals for outreach in 2023 was building our understanding of the challenges of providing medical care to this custodial population, and who may be moved from one facility to another or from the custody of one component to another. OIDO has conducted multiple outreach sessions with internal and external stakeholders, lending a voice for a unified, government-wide approach to immigration detention health care. For example, OIDO has worked with the DHS Office of Health Security on a policy revision regarding medical quality management and the oversight of ICE and CBP health services. In coordination with DHS Office of Health Security, OIDO developed a credentialing tool to aid in the verification of licensed health care practitioners providing services where CBP or ICE detain people.

OIDO also held numerous meetings with academic researchers and community medical providers—such as medical professionals at the University at Buffalo—who specialize in working with detained or recently-detained populations. Speaking with these groups helped OIDO identify challenges in the system, and we drew upon the information provided to work closely with the ICE Health Service Corps to address substantiated issues, as well as to inform others in the Department with an interest in medical care for detained individuals.

Segregation

In the area of special management units (SMUs)—also known as segregation—humane treatment of detained people is a critical concern. As such, OIDO placed significant attention on ensuring that detention standards are upheld within SMUs throughout ICE immigration detention facilities.²

Reviews of Segregation Conditions

OIDO carefully reviewed segregation conditions at five facilities in CY 2022, examining matters such as placement in segregation; access to grievance processes, communication, medical and legal services, personal hygiene materials and facilities, and recreation; use of restraints; and proper documentation. Most of the work was completed in CY 2022, but these reports were finalized and issued in CY 2023.

Adherence to the applicable detention standards was particularly strong at Florence Service Processing Center. The facility reviewed administrative segregation records more frequently than required by the standard and performed more frequent personal observation checks. These records checks and observations confirm placement is appropriate and conditions are suitable.

List of segregation reviews:

- Florence Service Processing Center in Arizona
- Denver Contract Detention Facility (Aurora) in Colorado
- Mesa Verde ICE Processing Center in California
- Pine Prairie ICE Processing Center in Louisiana
- Folkston ICE Processing Center in Georgia

Of the five facilities reviewed, only Pine Prairie was found to have been noncompliant, and ICE immediately took corrective action to ensure that OIDO's recommendations were put into effect. OIDO found that the Pine Prairie facility used unqualified personnel, who were not trained mental health professionals, to administer weekly health reviews for people held in SMUs. OIDO recommended that the facility create and implement the appropriate internal controls, training, and oversight necessary to ensure that qualified mental health providers participate in and complete the weekly multidisciplinary team review for people in segregation. Since OIDO's recommendation, ICE confirms that this has been addressed and corrected by facility staff. In addition, Pine Prairie's drop boxes in the SMU for the purposes of receiving medical requests, grievances, and other requests were not labeled, which could confuse detained people, resulting in misplaced communications and delays in review and response. In the case of medical requests, this could potentially result in untimely care. OIDO's recommendation that these drop boxes be subject to appropriate controls, oversight, and recordkeeping has been addressed and corrected. This case highlights the work OIDO has done to build cooperative partnerships with the components that often results in swift correction of detention issues.

² At this time, CBP does not maintain SMUs or special handling units.



A detained person reported an incident revealing improper adherence to protocols and a lack of adequate medical support after a physical altercation with an inmate in U.S. Marshals' custody. OIDO's involvement proved crucial, as it led to corrective actions, a clarification of file access, and an agreement to improve incident logging. This case underscores OIDO's role in bringing facility issues to light, fostering cooperation between ICE and facility staff, and resolving matters quickly without lengthy investigations and litigation.

The complaint stated that proper procedures were not followed during a three-day placement in segregation. The complainant alleged that he was placed in disciplinary lockdown in his dorm cell, following a physical assault by an inmate in U.S. Marshals' custody, where he did not receive adequate medical support and observed favoritism towards other inmates.

Upon initial review of the complaint, the case manager noticed that segregation paperwork and logs did not reflect the detained person's three-day segregation status. When the case manager raised this issue with the county jail, a facility officer reported that "no paperwork or notification was necessary for this type of lockdown, since it was inside the [detained person's] cell." After the case manager reported the issue to the ICE Detention Standards Compliance Unit, ICE immediately clarified segregation protocols to the county jail. The detained person was informed of his right to file a formal grievance about the matter.

Observations at SMUs

In response to increased stakeholder complaints regarding segregation, OIDO in 2023 took advantage of its pervasive presence in immigration detention facilities to provide oversight and assistance. From August 14 through September 15, 2023, OIDO conducted targeted observations of SMUs at ICE immigration detention facilities routinely visited by case managers. Case managers were instructed to observe and engage with individuals housed in SMUs during routine visits to each unique facility within their portfolio. In support of this effort, over 40 case managers observed SMUs at over 70 different facilities.

Case managers engaged with people in SMUs, asking them about their access to recreation, medical treatment, legal calls and the law library, communications, showers and other personal hygiene products, and other services. Wherever possible, case managers brought complaints to facility staff to address, fixing many in short order.

One area of interest is ensuring individuals who are in SMUs understand the reason for their placement and that they receive appropriate notification. Case managers who spoke with people in SMUs ensured all individuals received proper written notification of their placement and understood the reasons for their placement, and they worked to clear up any misunderstandings.

In December 2023, OIDO presented a report detailing its observations to ICE. In 2024, OIDO case managers will continue regular observations of conditions within SMUs during routine site visits to identify and address any concerns or complaints. Case managers are receiving additional training on segregation standards and ICE directives related to the use of segregation for people in detention.

Availability of Menstrual Hygiene Products in ICE Facilities

The U.S. House of Representatives Appropriations Committee expressed concern over reports of a lack of menstrual hygiene

products in ICE detention facilities and ordered a joint briefing by ICE and OIDO. At the conclusion of the briefing in fall 2022, OIDO acknowledged that there was insufficient data within OIDO regarding availability of and access to menstrual hygiene products in ICE detention facilities. OIDO committed to continue monitoring the concerns outlined by the Committee.

OIDO MATTERS

In 2023, a detained woman submitted an in-person complaint to the on-site OIDO case manager. The complainant expressed concern over staff not providing toilet paper or menstrual pads upon request by the detained women. The case manager relayed her concerns to the warehouse coordinator, who provided an extra 6,480 sanitary pads and 192 toilet paper rolls to the on-shift sergeant for placement in the facility's living spaces. Upon follow-up, the woman stated that she had since been receiving new personal hygiene items upon request.

In spring 2023, OIDO case managers interviewed both facility staff and detained people at ICE detention facilities throughout the United States. The intention of the interviews was to garner an independent, impartial, and on-the-ground understanding of the types of menstrual products available, the ways in which menstrual products can be requested or obtained, best practices, and areas of concern.

Through these interviews, review of existing standards and policies, and analysis of complaints, OIDO made **four major observations**:

1. Detainees interviewed generally reported that ICE makes menstrual hygiene products—primarily sanitary pads—available, per applicable standards.
2. The availability of menstrual hygiene products is not a concern that detained people proactively and regularly complain about to OIDO.

3. Detained people interviewed generally reported that there is a limited variety of free menstrual products available throughout ICE facilities.
4. OIDO did not find evidence to suggest that detained people systemically misuse menstrual products.

OIDO also submitted the following **topics for ICE's consideration**:

1. Whether to eliminate timeframes during which menstrual hygiene products are issued.
2. Whether to provide more varieties of menstrual hygiene products to detained people.
3. Whether it is feasible to make menstrual products more readily available, such as eliminating requirements to submit a request each time a product is needed.
4. Whether to post guidance on the types of menstrual hygiene products available as well as instruction on their usage and disposal.

OIDO presented its observations to ICE in December 2023. More information on this project will be available in 2024.



OIDO observed a best practice: a well-stocked vending machine at a facility, providing a range of menstrual hygiene supplies on demand and at no cost to detained individuals.

Rapid Response

One of the features that most sets OIDO apart from other oversight entities is the ability to pivot quickly to respond to emerging issues. In 2023, OIDO leveraged its unique ability to pivot quickly and respond to emerging issues through rapid deployment of staff to monitor and observe DHS facilities.

For example, in July and August of 2023, Arizona-based case managers were able to assist detained individuals at CBP's Ajo Station, where CBP was experiencing an influx of migrants for processing and lacked sufficient translation capabilities. Case managers equipped with language access tools jumped into action and helped CBP communicate with the migrants. At ICE's Desert View Annex, an unexpected increase in detained Mauritians also presented communication challenges. OIDO's language access tools allowed case managers to speak to the Mauritians in their native languages, including Wolof and Soninke, and address custody concerns with ICE as they emerged.

In November 2023, members of OIDO's leadership team went to high traffic areas in Arizona, performing informal observations at Ajo Station, the Nogales Processing Center, Douglas Station, and Tucson's hard- and soft-sided facilities. These observations allowed OIDO to make informed decisions about placement of staff and provided an unbiased view for departmental leadership as they make decisions about resources.

Another illustration of OIDO's unique capabilities came from the aftermath of an incident that occurred at the ICE El Paso Service Processing Center in August 2023. Due to the high level of trust that both detainees and staff have for OIDO staff in regard to their independence and objectivity, the detainees shared the reasons behind the turmoil at the facility. OIDO received allegations that some detainees believed they were told in Mexico that if they used the CBP One app to apply for parole at the El Paso Port of Entry, they were guaranteed entry. OIDO provided this information to DHS leadership to assist with the Department's international messaging efforts.



OIDO case managers will often meet with groups of detained individuals to inform them of OIDO's services.

In December, OIDO staff visited U.S. Border Patrol's (USBP) San Diego Sector to observe conditions at two open-air staging and pick-up locations in the area near Jacumba Hot Springs, California. This visit was prompted by various media reports in the preceding weeks alleging unsafe conditions at these locations. OIDO provided initial impressions to CBP and other Department leadership to provide immediate ground-level insight into issues and resolutions.

Eagle Pass Observations

As of late September, the USBP Del Rio Sector experienced a significant increase in encounters. In response, OIDO planned targeted observations of CBP locations at three locations in

the Del Rio Sector: Del Rio Centralized Processing Center (CPC), Uvalde CPC Station, and Firefly Soft-Sided Enhanced CPC. Initial observations occurred on September 27 and September 28. Subsequent observations occurred from October 10 to October 12 and November 7 to November 9.

OIDO continues to monitor the USBP Del Rio Sector and will conduct future observations as needed. Recommendations will be shared with USBP leadership to assist with improving detention conditions along the Southwest border.

Centers for Disease Control and Prevention’s Title 42 Public Health Order

As DHS prepared for the end of the Centers for Disease Control and Prevention’s Title 42 public health order (Title 42 Order) that expired on May 11, 2023, and suspended the entry of covered noncitizens during the COVID-19 pandemic, OIDO supported the Department through the Office’s presence in the field to serve as an independent and reliable source of information regarding conditions along the Southwest border. OIDO staff engaged in informal observations and site visits within all nine U.S. Border Patrol (USBP) sectors and all four CBP Office of Field Operations areas of responsibility along the Southwest border on the days surrounding Title 42’s expiration, from May 8 through May 24, 2023. OIDO completed a total of 188 visits at 46 different locations during this timeframe, in addition to maintaining normal operations in non-border regions.

OIDO provided preliminary observations to Department leadership on how facilities were faring in the existing operating environment. OIDO was able to identify and address issues of overcrowding, backlogs, long waiting periods, high traffic, and migrant surges that arose during this time. In several locations, OIDO observations assisted CBP in spotting detention issues and CPB was able to correct them on the spot.

These activities resulted in unique, real-time reporting and oversight for DHS leadership of surges in migration. Having personnel on the ground allowed OIDO to assist in spotting and resolving issues with CBP, including observations of the credible fear interview and expedited removal processes.

OIDO also met with designated legal service providers for people in CBP custody approximately two weeks after the expiration of the Title 42 Order to hear their feedback and perspectives on legal access. One provider shared that—despite being listed on the Department of Justice’s Executive Office for Immigration Review (EOIR) *List of Pro Bono Legal Service Providers for Noncitizens in U.S. Customs and Border Protection Custody*, which is required to be posted in CBP facilities—they had yet to receive even one call. In response, local case managers made observations at facilities, determined that some CBP locations had posted an EOIR pro bono list compiled for a different audience, and took steps to ensure all CBP facilities were posting the correct list. The week following the initial meeting, the provider reported back that they had started receiving calls from people in CBP custody.



Changing the Immigration Detention Landscape with Novel Approaches

OIDO's Role as an Ombuds

As an ombuds office, OIDO brings independent, neutral, and confidential resolution of issues to the immigration detention landscape. OIDO ensures fair, prompt, and cost-effective redress through on-the-ground problem-solving.

OIDO's unique persistent presence model makes it easier to identify and quickly remedy conditions that do not align with the Performance-Based National Detention Standards (PBNDS) or National Standards on Transport, Escort, Detention, and Search (TEDS). Case managers assist in spotting issues and finding quick resolutions before those issues become widespread. OIDO is perfectly positioned to identify recurring, facility-wide issues that other oversight entities may not have the opportunity or timing to detect in one-week-a-year inspections. Further, OIDO staffs its inspection teams with specialists to conduct comprehensive reviews of all facets of the detention environment. These specialists include auditors, environmental health and safety specialists, and immigration detention specialists in addition to the medical advisors.

Because of OIDO's presence throughout the detention landscape, it is positioned to resolve some conflicts early on while they are still emergent. Keeping issues from escalating—in some cases—may prevent costly and time-consuming investigations by other oversight offices and litigation against DHS. OIDO can swiftly and objectively mediate and resolve concerns at the lowest level possible, building trust through collaboration and a focus on standards, laws, and contract terms. OIDO's persistent presence and neutrality allow us to prevent misapprehensions, dispel rumors, facilitate fact-checking, troubleshoot solutions, and provide explanations.

OIDO can help detained persons navigate systems inside detention and access resources they need, enabling and empowering them to help themselves rather than having to wait for outside assistance. OIDO's persistent presence helps to keep everyone focused on

their core duties, that is, keeping immigration detention professionals working together as a whole team—facility staff on security, ICE and CBP on processing, and attorneys on representing clients in immigration cases.

Categories of Redressed Cases

Contact and Communication: **113**

Staff Misconduct: **83**

Medical, Mental Health, or Health Care Concerns: **81**

Environmental Health and Safety: **76**

Admission: **94**

Food Service: **56**

Recreation: **56**

Property: **47**

Personal Hygiene: **65**

Facility Environment: **38**

Legal Access: **33**

Abuse or Assault: **30**

Translation and Interpretation Services: **22**

Religious: **11**

Special Consideration for Children and Families: **6**

Facility Access: **4**



In 2023, OIDO provided redress—meaning a violation of a standard was addressed to resolve a complaint—on 815 cases. The facilities concerned were brought into compliance with the applicable standards.

For example, a detained person requested assistance with funds that had gone missing during transfer from the county sheriff’s office to ICE detention. During transfer, the man received a cash card indicating an amount of \$2,000. However, when he requested assistance to deposit these funds into his account at the detention facility, officers reported that the card had a balance of zero. After intervention by OIDO, the funds were recovered.

Due to redress of this issue (and many like it), the parties appeared to be satisfied, and OIDO is not aware of any litigation on these matters.



OIDO case managers assist detainees with their individual concerns.

Contracting and Fiscal Responsibility

OIDO continues to develop a standardized process to examine and make recommendations to address violations of contract terms in immigration detention facilities. ICE and CBP procure contract support for services such as security, medical care, food, and child-care along with full facility management. OIDO considers its statutory oversight role to include examining whether terms of contracts are met, including whether contractors operating on behalf of ICE or CBP are meeting standards and, also, subsequently or separately, whether the government is getting what it pays for. In 2023, OIDO reviewed the CBP medical support contract for the Southwest border and found that medical staffing shortages were a major concern. In several other locations, OIDO’s inspections led to similar findings that both ICE and CBP facilities alike were experiencing shortages in personnel and contractual requirements were not being met. For example, at the Folkston ICE Processing Center, OIDO found that the facility did not comply with contractual requirements for overall staffing. In response, the contractor filled vacancies and continues to recruit and interview to meet contractual obligations. Meanwhile, ICE indicated that it would closely monitor staffing levels at the facility. OIDO will follow up on these efforts to ensure that corrective actions are completed and that the issue does not re-emerge.

In 2023, OIDO reviewed contracts in four areas, including electronic tablets and medical staffing, credentialing, and training in ICE facilities. The results of these reviews are forthcoming. To complete these reviews, OIDO conducted interviews of detained people and staff; directly observed conditions on the ground; and reviewed various documents, such as contractor timesheets, invoices, staffing plans, vacancy trackers, employee files, and logbooks. OIDO is concerned not only with the noncompliance issue itself, but also the underlying cause and impact of the deficiency. For example, when OIDO examines staffing, it looks not only at the raw staffing numbers compared to the contractual requirement but also at the types of position vacancies and how the facilities address these deficiencies.³

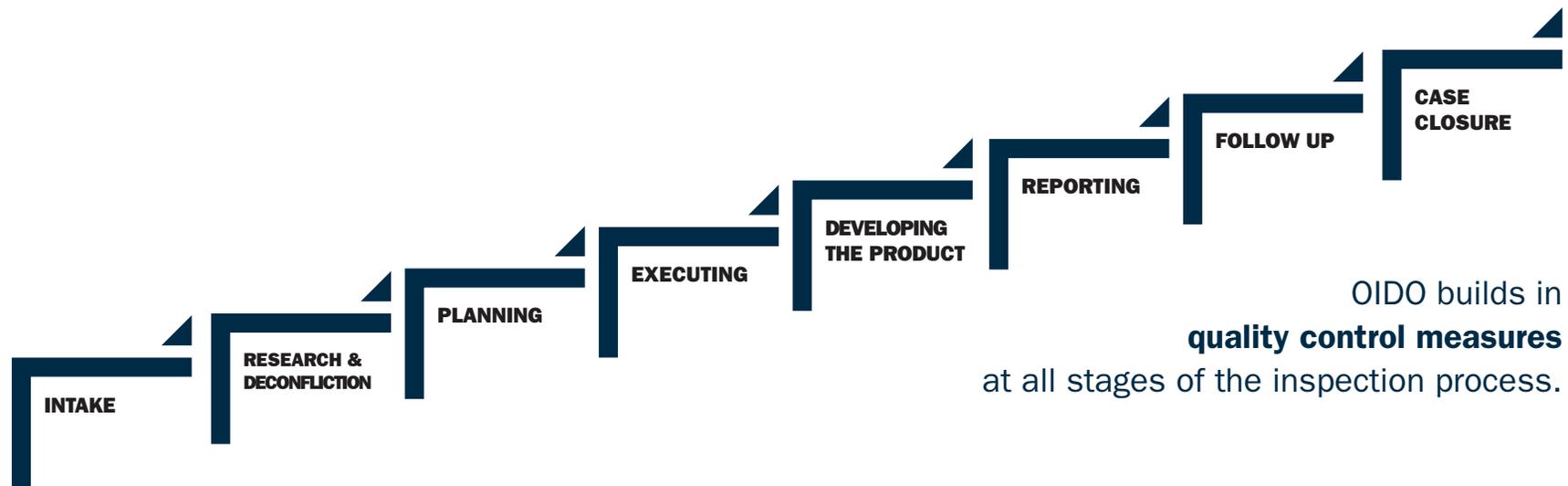
³ Full findings can be found in the inspection report for each facility. dhs.gov/oido-publications.

In 2024, OIDO will continue to prioritize and perfect the process for contract review by working with contract representatives to assess whether the services delivered meet the scope, timeliness, and quality standards set forth in the contracts' statements of work. OIDO will also focus its contract reviews in select areas to make the greatest impact, such as contracts for the provision of medical services. The team will analyze areas such as whether the contracts are meeting requirements in terms of number of medical personnel present in the facilities, appropriate credentialing of medical personnel, and quality of care delivered by the vendor. The team will also conduct a financial analysis of the contracts to review areas such as invoice payments, spend rate, and other direct costs by leveraging a combination of OIDO financial and medical expertise. The goal of these and subsequent reviews will be not only to protect against waste, mistakes, and fraud, but also to ensure proper services are provided to and within immigration detention facilities.

Ultimately, OIDO's prioritization of contracts may lead to reform recommendations about the management of contracts in the detention and custody space.



Detention Oversight: The Work Life of an OIDO Investigator⁴



OIDO’s inspection process begins when the Office receives a triggering event. An investigator will perform an initial evaluation, considering factors such as complaint trends, detainee population affected, and anticipated impact of recommendations. The investigator will complete **Intake** by creating a case file, conducting basic triage, and obtaining approval for recommended action to either retain, refer, hold, or decline the case. The case must be immigration detention related, non-duplicative, and not specific to only one detainee. If the case is retained, the investigator will conduct **Research and Deconfliction** by thoroughly reviewing documentation, determining time-sensitivity, and making sure there are no other entities conducting an inspection of the same facility.

Then, the investigator will begin **Planning** aspects of the inspection, such as objective, scope, and methodology, and defining timeframes and deadlines. Based on the needs of the specific assessment,

OIDO considers several factors when selecting inspection sites and topics, such as complaint trends, detainee population affected, anticipated impact of recommendations, and the potential for reallocation of resources.

OIDO puts together an inspection team—including medical and environmental subject matter experts as appropriate—and sends out pre-inspection requests for information.

⁴ In OIDO’s 2021 Annual Report to Congress, the life of an OIDO case manager was described in detail. Their duties and responsibilities remain the same.



OIDO designs assessments based on the issues and resources available. These include requests for information, observations, announced and unannounced inspections, reviews, and investigations.

During quarterly, mid-year, and annual planning meetings, OIDO investigators attend internal training that includes interview mock-ups and a photography course for practice.

During **Execution**, the inspection team provides a Notice of Inspection to the inspected entity at both the local and headquarters level. OIDO conducts both announced and unannounced inspections. OIDO briefs local management on-site, informing them about the objectives, scope, and inspection process.

During the inspection, the team requests and reviews applicable documents and observes conditions at the facility. OIDO investigators also interview detained people and key personnel from the facility to gather information. OIDO gathers information about both the facility's performance and compliance with standards and contract terms. When the inspection is complete, OIDO conducts an out-briefing with facility leadership, sharing initial findings in all areas reviewed to promote early discussion and resolution of issues.

OIDO investigators travelled to 31 locations in 2023.

After returning from the inspection, the OIDO investigators begin **Developing the Product**. They work to ensure that all evidence is documented, organized, and stored properly. Then the team completes an objective analysis of the evidence, weighing data for sufficiency, competency, and relevance. This stage incorporates multiple rounds of internal review to ensure accuracy of information and persuasiveness of analysis as well as clarity of presentation. This includes, for example, an independent reference review.

OIDO's assessment and report generation process incorporates several points for the Component to review findings and provide comment, including issuing preliminary findings and holding of an exit conference to promote early review and discussion of results. OIDO investigators also complete follow-up documentary requests and interviews, as necessary, throughout this stage. Maintaining open lines of communication with the facility and Component are integral to OIDO's process, as the Office seeks to work together to understand and articulate the performance and compliance aspects of facility conditions and the root causes of any deficiencies. This is critical, because in the **Reporting** stage, OIDO makes recommendations by identifying courses of action that would resolve the root cause of the issue, taking great care to ensure that recommendations are achievable, specific, cost-effective, and measurable. OIDO promotes corrective actions that will have an enduring positive impact on detention conditions.

OIDO's assessment and report generation process incorporates several points for the Component to review our findings and provide comment to encourage partnership and timely corrective action that will improve detention conditions.



Once approved by the Ombudsman, OIDO issues a Draft Final Report to the inspected entity. When the Component responds within 60 days, OIDO reviews, analyzes, and integrates the response into the Final Report. If a component responds with a challenge, OIDO has the ability to bring the matter to the Secretary of Homeland Security for resolution. OIDO Management and the Ombudsman approve the Final Report, forward it to the Component, and publish it at <https://www.dhs.gov/office-immigration-detention-ombudsman>.

Although the report is published, OIDO does not close the case until all open items have been resolved. OIDO completes **Follow-Up** on deliverables that were outlined in the Final Report, collecting and reviewing evidence of corrective action and determining whether it is sufficient to warrant closing out each recommendation. In the final stage, **Case Closure**, OIDO closes out the case.



Findings and Recommendations

STRATEGIC GOALS

Identify, develop, and deliver recommended solutions to improve conditions within immigration detention facilities.

OIDO MATTERS

An OIDO case manager directly facilitated improved and useful access to the law library and library printouts at a detention center. In an interview with a detained person, the case manager heard concerns about the limited law library access and concurrent lack of support by facility staff in printing legal resources as well as significant delays in responding to the weekly requests to access these services.

The case manager discussed access to the law library—and shared opportunities for improved access—with facility and ICE staff. As a result of OIDO’s efforts, the facility added a legal database to the kiosks inside the pods and clarified staff responsibilities regarding law library services. ICE and the facility also approved the procurement of portable units for law library access following OIDO’s suggestion. The case manager will continue to monitor the arrival of additional portable units and the ongoing access to the staff and resources needed for efficient and optimal use of the law library.

Advanced Communications Services

Following several inspections, it came to OIDO’s attention that despite the benefits gained from ICE’s introduction of advanced communications services (i.e., tablets) into detention facilities, major challenges exist. These challenges largely fall in the areas of inconsistent policies and practices in the way these services are offered and regulated. As a result of this information, OIDO conducted a thorough review of tablet policies, practices, and potential abuses at a wide range of facilities, and ultimately shared these initial factual findings with ICE in late 2023.

Further, at ICE’s request, OIDO undertook the writing of a draft proposed detention standard to cover the use of advanced communications services.



OIDO maintains neutrality and strives to develop positive working relationships with DHS components, facility personnel, and stakeholders impacted by immigration detention.



Informal Resolution of Issues

OIDO cites positive working relationships with ICE and CBP as a key to success. OIDO's role in detention is mutually beneficial: the focus on detention conditions on both individual and systemic level leads to improvements that allow ICE and CBP officers to dedicate more time and resources to processing and security. Often, OIDO receives information from attorneys, advocates, and community service providers in the field who share concerns that—once verified—can be addressed to the satisfaction of all the affected parties: outreach



Contact and communication—which includes communication between DHS component or facility staff and detained individuals, and detained individuals with their family members and advocates—is the second-largest complaint category OIDO receives.

staff, case managers, headquarters staff, and officers are able to share information and approaches to address issues internally in order to find meaningful resolutions. Sometimes the creation of new policies results from OIDO's observations. For example, in response to OIDO's recommendation for USBP to instruct its facilities to develop local procedures to address emergencies during transport, USBP issued a memorandum requiring all sectors to establish a written policy by December 1, 2023, for transporting staff to follow in the case of an en-route emergency.

El Paso Legal Calls

Legal service providers reported that they were noticing a lot of background noise during calls from clients in CBP custody in El Paso. The individuals told their attorneys that they were calling not from private rooms or booths but from common areas where several people were calling their legal representatives at the same time. OIDO learned that the space was overcrowded, and detained people were moved to a bigger location with more private booths after case managers flagged the issue for facility leadership.

Religious Access in Tacoma

In January 2023, OIDO met with a faith-based organization that assists the immigrant and refugee community in the Pacific Northwest by coordinating a volunteer program that provides multi-denominational religious services for detained individuals. In-person religious services had been curtailed due to COVID-19 protocols and were starting to resume; however, the director of their detention ministry advised OIDO that new access protocols imposed by the facility had reduced their volunteer corps so significantly that their volunteer religious program would effectively cease to continue. OIDO raised this issue with ICE, which prompted its Personnel Security Unit to review their processes and revert to the same process used for volunteer clearance prior to the pandemic. The faith-based organization subsequently notified OIDO that it was able to obtain access for its volunteers and rebuild its volunteer corps to bring religious services to countless detainees at the facility.



OIDO resolves issues at the individual, facility, and enterprise levels to ensure that detention standards are met.

Resolved Areas of Initial Noncompliance

While conducting inspections, OIDO teams may spot issues and work with ICE and CBP to resolve them on-site. While these issues are noted in public inspection reports, many have already been resolved by the time the report is shared at the headquarters level. This collaborative problem-solving facilitates quicker fixes that may improve the conditions of detention.

OIDO's inspection teams noted and facilitated basic repairs and maintenance ranging from malfunctioning walk-in freezers with slippery condensate on floors (Denver⁵) to broken water fountains in the medical clinic waiting area (Pine Prairie) and shower and toilet areas.

Also noted and addressed were issues pertaining to use of force. For example, in Florence, the OIDO inspection found that the facility camera equipment incorrectly timestamped footage during a use-of-force incident. Before the inspection was completed, the facility showed that the camera had been replaced.

In another inspection, detained women were able to resume use of the law library at Denver upon OIDO's noting that insufficient female staffing limited women's access; the facility began training additional female staff in order to accommodate requests to use the library.

⁵ OIDO notes that the facility is also known as the Aurora Detention Facility.

Information Collection and Analysis

OIDO supports its detention experts with useful data and information that enable us to make informed decisions and recommendations to ICE and CBP. These resources include surveys, information-sharing tools, and data analysis.

CBP and ICE Surveys

OIDO circulated a voluntary and anonymous 15-question survey to CBP staff across a spectrum of disciplines with knowledge of hold room operations. This survey asked respondents to identify challenges to upholding CBP's TEDS standards.

Beginning in November 2022, CBP distributed this survey to employees and contractors across the detention landscape. In 2023, OIDO analyzed over 1,000 collected responses. The survey results highlighted concerns among the DHS CBP workforce:

53 percent of respondents ranked funding, resources, and staffing in their top three greatest challenges in maintaining compliance with CBP's TEDS standards—and staffing was often contextualized as inadequate to mission and current migration levels.⁶

- 31 percent of respondents selected “Facilities” as their top area for needed improvement.
- 20 percent indicated training was needed in maintaining TEDS compliance.

As of the end of 2023, OIDO initiated a similar survey for ICE personnel. Results are forthcoming, and the analysis of these results will take place in 2024.

Immigration Detention Analysis Dashboard (IDAD)

OIDO advanced a solution to aid all of DHS: the Immigration Detention Analysis Dashboard, or IDAD. IDAD is a centralized data

analysis application that places detention-related complaints and allegations from across the DHS enterprise into broader context. IDAD aims to bridge a technological gap between case management systems across DHS oversight entities and facilitate comprehensive issue identification and resolution. By combining detention data from other DHS entities with OIDO data into a single clearinghouse portal, OIDO will better understand the entire DHS immigration detention landscape. IDAD can support OIDO in:

- contextualizing OIDO complaints within the overall detention landscape;
- establishing a baseline for detention conditions across DHS facilities;
- supporting evidence-based approaches to decision-making;
- recommending where to focus limited DHS resources; and
- improving OIDO's understanding of relationships between complaint and allegation types and a variety of attributes (e.g., contractor type, population size, population type, geography).

⁶ See also DHS Office of the Inspector General's (OIG) Final Report, “[CBP Facilities in Vermont and New York Generally Met TEDS Standards, but Details to the Southwest Border Affected Morale, Recruitment, and Operations](#)” OIG-23-27/ 22-006-ISP-CBP(c).



Reaching People

Approximately 90 percent of OIDO’s complaints are received directly from individuals in the Department’s custody, with the remaining 10 percent coming from detained people’s attorneys, advocates, consulates, congressional offices, and loved ones. OIDO offers multiple points of approach, accommodating those who do not feel comfortable making complaints in detention settings or who fear retaliation. OIDO’s online complaint mechanism is one of many avenues available, and as an ombuds office, we operate under principles of neutrality, independence, and confidentiality—making us a better option for some individuals. While many ombuds offices may serve as a last resort, OIDO’s door is always open.

Case managers are empowered to decide which complaint collection approach will work best where they are—it differs by facility and may shift due to operational changes. Some case managers simply speak with groups as they are booked in, some have drop boxes or sign-up sheets, and some have tablets with a specific request section for OIDO. By encouraging case managers to be adaptable and effective within their specific environment, OIDO eliminates barriers to filing complaints, opens avenues wherever possible, and educates people about our role in immigration detention.



Videos in Custody: OIDO produced two videos to be shown in detained settings which notify individuals in DHS custody about OIDO and how to speak with a case manager. These videos are currently on the Talton-supported tablets; the videos will be made available in additional settings in 2024.



In 2023, OIDO undertook a public awareness campaign along the Southwest Border to ensure those affected by immigration detention would recognize OIDO as a resource for addressing conditions. Billboards appeared in Phoenix, Tucson, El Paso, San Antonio, Laredo, and McAllen. More than 60 gas stations in the same areas showed videos at the pump directing English- and Spanish-speaking people to the OIDO website.





Case managers go throughout facilities—including into medical settings, housing areas, and special management units—to speak with detained people, but they also establish request mechanisms such as electronic tablets or secure OIDO boxes.

OIDO MATTERS

When a detained person with diabetes expressed concerns about his blood sugar levels, the case manager consulted with the Health Services Administrator and confirmed the individual's need for a diabetic diet based on medical records. From there, the case manager followed up with the food service staff to ensure they were aware of his diabetic dietary needs. Upon the case manager's request, the food service staff checked their records and confirmed that a diabetic diet was needed but had not been provided. The food services staff was unsure how this had occurred but corrected the issue immediately. As a result, that same day the individual received his first diabetic meal—3 months into his stay at the facility.

Electronic Communications for Detained People

Electronic tablets have become more prevalent in detention settings across the United States, and OIDO is drawing upon this resource to facilitate detained people's access to case managers in facilities. One vendor—Talton—provides services on tablets that are in active use as a digital sign-up sheet in 39 detention facilities.⁷ Forty-four of our 53 case managers have active profiles through the Talton system and can readily review and process requests. In the period spanning May through September 2023, more than 5,000 requests to speak with an OIDO case manager were submitted via the digital sign-up sheet; case managers triaged and responded to each inquiry as needed.

STRATEGIC GOALS

Ensure all immigration detainees can readily access an OIDO case manager at each detention facility where OIDO has a presence, whether in person or through an electronic portal, to help detainees receive quick resolution.

⁷ The data provided refer only to Talton-serviced tablets. Other facilities may have tablets serviced by other vendors; those data are not captured here.



Portal and Roadshow

OIDO accepts complaints about immigration detention conditions from anyone—whether they are currently detained, had previously been detained, or are concerned about a loved one or client who is detained. To make OIDO’s complaint process easier to access, OIDO released its case intake portal, *myOIDO*, in March 2023. The portal is an electronic version of DHS Form 405, which can still be used to collect complaints from people outside of detention custody settings.

OIDO started its portal launch with the 10 facilities⁸ where OIDO had received the most complaints from outside of facilities (that is, not directly from people who are currently detained) and engaged in an eight-city tour to acquaint potential users with *myOIDO*. Staff from several congressional district offices attended many of these presentations to be better prepared to serve their constituents.

Since that time, OIDO has continued to make the portal more accessible. In July 2023, the portal opened to complaints from more than 500 facilities that hold people for immigration purposes. In September, *myOIDO* became available in Spanish, and OIDO added a “Print Form” button to allow for the printing or saving of submissions. The portal helps streamline OIDO’s intake, triage, and assignment of cases, and OIDO will continue to build capabilities for this tool to make the complaint process easier to navigate.



OIDO External Relations staff met with stakeholders across the country in 2023 to promote *myOIDO*, OIDO’s public-facing online case intake portal.

⁸ Krome North Service Processing – Miami, FL; Montgomery ICE Processing Center – Conroe, TX; Otay Mesa Detention Center – San Diego, CA; South Louisiana ICE Processing Center – Basile, LA; Stewart Detention Center – Lumpkin, GA; Webb County Detention Center (CCA) – Laredo, TX; Baker County Facility – Macclenny, FL; Central Louisiana ICE Processing Center – Jena, LA; Eloy Federal Contract Facility – Eloy, AZ; Florence Service Processing Center – Florence, AZ.



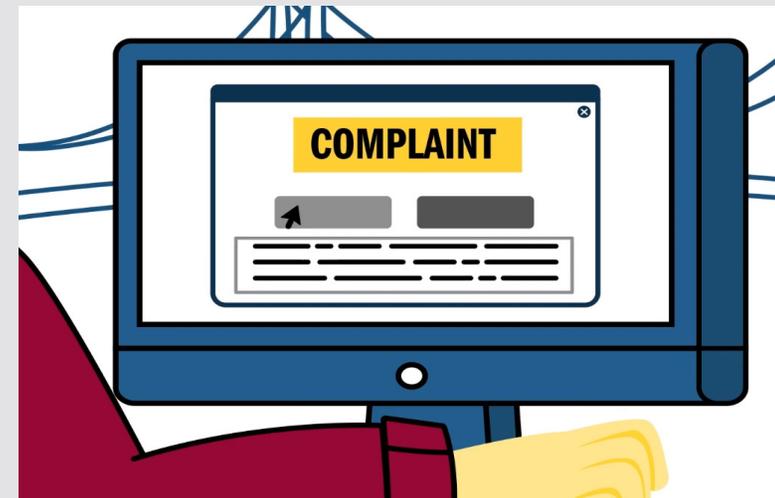
Language Access

OIDO MATTERS

A case manager facilitated the success of a detained person's telephone call to family in China. Due to the detained person's limited English proficiency, he could not successfully communicate his telephone challenges to the facility staff. The case manager worked with the detainee to recreate and troubleshoot the difficulties with using the facility phones. During this process, an automated voice spoke in English, announcing that the number had been disconnected. The case manager relayed this, and in turn, the detained person further explained that this same experience occurred with other phone numbers he used. The case manager then consulted with facility staff who investigated the situation and determined that the receiving family members were likely not pressing the correct number to receive the call, since the automated voice prompts were in English. Facility staff then took steps to enable the detained person to use a phone in a different area of the facility. Within 24 hours of the case manager's interview, OIDO received confirmation from the detained person that he had successfully reached his family with no issues.

OIDO MATTERS

In response to detained people's complaints regarding the absence of laundry services, a case manager took immediate action. During a joint visit with the pod manager to the laundry unit, they identified a breakdown in communication that contributed to one pod's occupants being without laundry services for over 2 weeks. The language barrier presented a significant challenge, as none of the affected detained people spoke English. The case manager worked diligently with the facility to address this issue, ensuring that notices about the laundry schedule were communicated in Spanish to overcome the language barrier. This proactive approach improved living conditions for the detained people and underlined the importance of responsive case management in addressing concerns, especially in situations involving language and communication barriers.



OIDO's animated video illustrates the process for filing a complaint to help inform detained individuals who may have limited spoken or written language proficiency.

OIDO's work in the field has highlighted that it must address not only the physical barriers to accessing OIDO, but also language barriers. In many facilities, rules, processes, and procedures may be explained in English and in Spanish during intake. However, this may be a time of high stress or confusion, leading people in detention to overlook or forget things that were explained to them. They may not know anyone is available to assist. OIDO's presence in detention facilities and focus solely on the conditions of detention gives case managers the freedom and opportunity to support people as they navigate the detention environment. Importantly, OIDO prioritizes lowering the barriers for people with limited English proficiency (LEP persons) to seek assistance, drawing on myriad tools and approaches. For example, OIDO created and distributed an animated video in some facilities, reducing reliance on written or spoken language and helping people in detention identify OIDO staff by uniform.

Language Access Plan

In 2023, OIDO completed its Language Access Plan,⁹ which can be found on the OIDO publications page (www.dhs.gov/oido-publications). OIDO's plan ensures that persons with limited English proficiency (LEP) have access to the full range of programs, services, information, and activities. OIDO published its plan in April 2023, along with a printable job aid that offers step-by-step instructions for staff who work with interpreters, translators, and transcription services.



OIDO utilizes the DHS Language Identification Guide *I Speak . . .* so that detained individuals who are not proficient in English can identify their preferred language.

⁹ All Federal agencies are required by [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (2000), to have a Language Access Plan [Executive Order] that ensures meaningful access for LEP persons to its federally conducted programs and activities. DHS further requires each of its agencies and offices to prepare a plan specific to that office's mission and functions.

New Materials

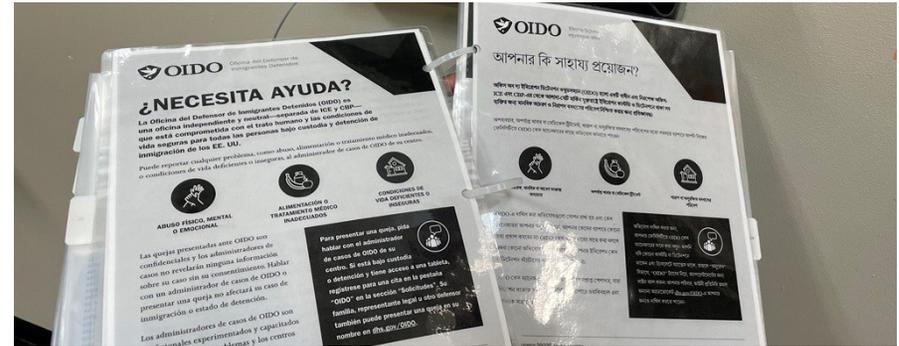
In March 2023, OIDO expanded its printed marketing materials to include 19 languages. The materials are available on the OIDO website, and OIDO case managers can access them as needed to support their discussions with LEP persons. OIDO will continue to expand its language offerings as needs present—the list of translations has grown organically as case managers meet groups in detention who speak a language not previously encountered. Acquainting detained people with OIDO’s mission and services can be done on a larger scale with a well-placed flyer, and then individual conversations and complaints can be handled with the use of the interpretation line.

Engagement

While attorneys, family members, and advocates remain OIDO’s most frequent external correspondents, OIDO is always seeking opportunities to reach all people affected by the immigration detention system. In 2023, for example, OIDO completed its series of virtual brown bag lunches for more than 650 immigration judges located in 69 immigration courts. Judges may be one of the few authorities aside from DHS personnel and contractors that detained persons will encounter, and the judges may find themselves on the receiving end of information about unsatisfactory detention conditions. OIDO’s case intake system and ability to receive and review complaints on behalf of anonymous individuals makes the office a viable option for judges.

STRATEGIC GOALS

Be a unique voice leveraging information and expertise to inform decision-makers and the public.



OIDO has produced information on how to access services in 19 of the most commonly spoken languages by the detained population.



OIDO case managers are issued pocket translators and have access to a language interpretation line so they may communicate with detained people in their preferred languages.





OIDO participates in conferences and panel discussions to reach new stakeholders and inform them about the Office's work.

In addition to meeting with judges, advocates, and nongovernmental organizations, OIDO prioritized reaching consulates and people who may receive complaints or hear concerns from the communities they serve. OIDO met with nine consulates in 2023, with thanks to the Embassy of México for facilitating introductions with four of its consulates. Members of Congress—particularly district offices that often interact with family members and friends of detained individuals—also helped increase OIDO's reach by informing the public about our work. OIDO met with more than 50 congressional offices from both sides of the aisle over the course of 2023 to introduce the Office's work, share how OIDO can assist their constituents with friends or family members in immigration detention, and listen to areas of concern expressed by staff.

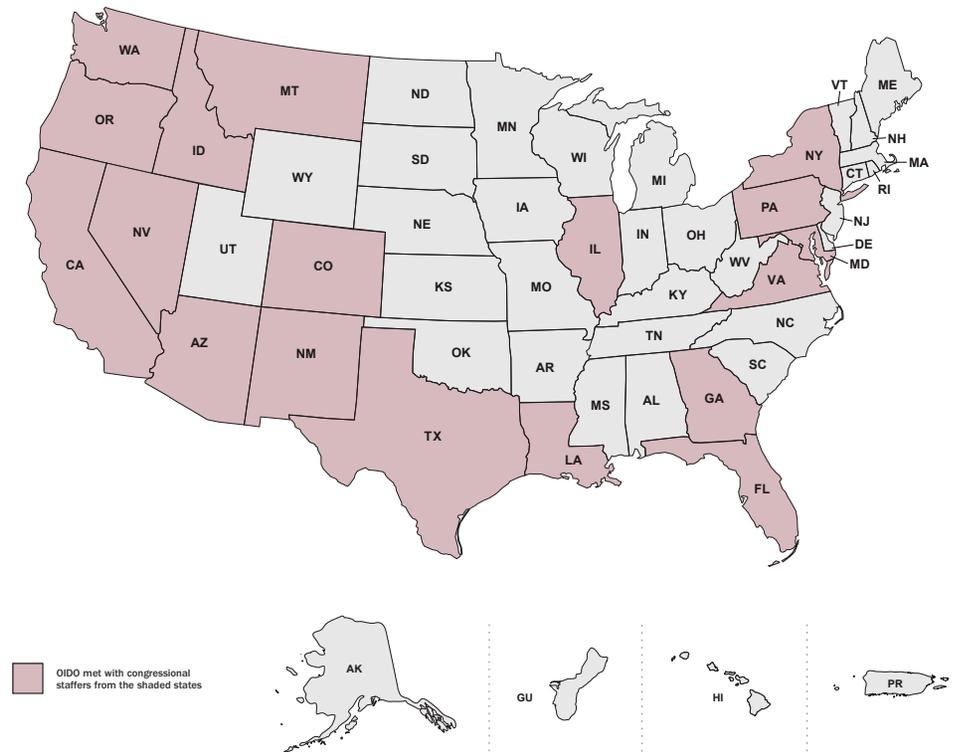


Figure 1. OIDO met with 50 Congressional offices over the course of 2023. The highlighted areas indicate the states represented by these offices.



OIDO MATTERS

During a meeting with OIDO, a detained person requested the consulate number for his home country; he was one of several individuals who had requested this information from the case manager. Consular notification and access requirements are set forth in international treaties and agreements as well as ICE's detention standards. The OIDO case manager initiated a dialogue with facility management staff. As a direct result of this engagement, the facility took concrete actions by printing copies of consulate contact numbers, which were subsequently distributed alongside handbooks during intake, making them readily accessible to people in detention.



Video screen still from "What is OIDO?"

As OIDO's intention is to share information as openly as possible and encourage people to take advantage of its persistent presence, OIDO launched an account on X/Twitter to reach more members of the public who may not think to turn to the government for assistance—[@OIDOGov](https://twitter.com/OIDOGov).

Further, to educate the public on what the mission and work look like in action, OIDO also developed and made available two new videos to explain its processes to the widest possible audience. Both of these videos—"What is OIDO?" and "A Day in the Life of a Case Manager"—can be found on our website, dhs.gov/OIDO-videos.



OIDO on X/Twitter





OIDO visits with people in custody and inspects CBP facilities, including soft-sided, temporary facilities.



Soft-sided temporary facility at Yuma BP station.

Coordinating Across the Homeland Security Enterprise

OIDO’s authorizing statute requires the office to “ensure that the functions performed by the Ombudsman are complementary to existing functions within the Department of Homeland Security.” OIDO is among several oversight entities in the detention space, and it has given serious consideration to how its functions could complement existing structures—like the existence and persistence of OIDO field presence. Coordinating across the Homeland Security enterprise requires efforts at multiple levels, such as meetings between the Ombudsman and ICE or CBP leadership, deconfliction on specific cases or facilities, and memoranda of understanding or agreement specifying how to engage on detention issues.

In 2023, OIDO established meetings with various CBP components in the areas of policy and civil rights to gain perspective and intelligence into CBP’s operations and detention priorities at a leadership level. These relationships complement OIDO’s extensive field presence to build the most complete picture of conditions in DHS custody.

STRATEGIC GOALS

Continue strong relationships and cooperation to ensure OIDO is complementary to other DHS functions.



OIDO 101

STRATEGIC GOALS

Bring awareness to the ombudsman’s mission to promote and support safe and humane conditions in detention by providing information presentations to Department personnel.

Since its inception, OIDO has been strategically introducing itself to DHS partners; however, this year, OIDO launched a formal orientation in January 2023—an on-request presentation called “OIDO 101: An Introduction to the Office of the Immigration Detention Ombudsman.” This is a one-hour introductory overview for DHS employees and contractors that covers OIDO’s statute and mission, its organizational structure, its divisional roles and responsibilities, and how it interacts with and impacts other DHS components. The orientation also identifies who can file complaints with OIDO and how they are filed. Since the formal rollout, 11 OIDO 101 sessions have been requested and offered. Audiences have included: DHS’s Office of Inspector General; DHS Office of Health Security; ICE’s Office of Professional Responsibility; U.S. Citizenship and Immigration Services’ (USCIS) Refugee, Asylum, and International Operations; USCIS’s Language Access Working Group; and OIDO contract staff.

These orientations have been critical to facilitating awareness and collaboration with those OIDO divisions whose work is primarily at the enterprise level.

Deconfliction

One of the ways OIDO ensures it does not overlap with other oversight entities is through a robust deconfliction mechanism that includes all of the Department’s detention oversight entities. This deconfliction process comes into play when scheduling and organizing inspections of facilities, ensuring inspections are sufficiently spaced out, and drawing upon previous inspections to determine what issues may need revisiting to ensure corrective action was taken.

Deconfliction also occurs when other offices refer cases to OIDO. In 2023, CRCL referred over 135 cases, and OIDO drew on its partnership with CBP’s Joint Intake Center to review and address more than 491 complaints. In the absence of these partnerships, these issues may have gone unreviewed and unresolved. Thus, OIDO’s unique position in the field allows case managers to take on many cases and assist people in detention to a degree not possible for some of its partners.

Follow-Up

OIDO is able to conduct follow-up on-site compliance monitoring for its recommendations and other oversight organizations’ published recommendations. As OIDO develops its inspections plans, inspectors review past reports from other oversight groups, such as the DHS Office of Inspector General (OIG), Nakamoto Group, and ICE’s Office of Detention Oversight to ensure prior findings have been addressed.

For example, in OIDO’s examination of Folkston, it revisited the OIG’s 2021 inspection of the same facility. In the report, the OIG had noted that the facility had poor living conditions, including torn and worn-down mattresses that warranted replacing. To follow up on these findings, OIDO reviewed the facility’s purchase orders, which showed that the facility had purchased 332 mattresses since the previous OIG inspection.

OIG also found during its 2021 inspection that the facility inappropriately handcuffed detained people in disciplinary



segregation anytime they left their cell, contrary to the standards. During OIDO's inspection in November 2022, inspectors reviewed the facility operator's SMU policy and staff post orders and found they had both been updated to align with the standards, which state that placement in SMU does not constitute a valid basis for the use of restraints during movement around the facility.

Further, OIG found the facility did not consistently provide required services and privileges to people held in segregation. When OIDO inspected in November 2022, people housed in SMU had access to facility programs as well as facility laundry and mail services from Monday through Friday.

Similarly, when OIDO planned its inspection of the Denver facility, inspectors reviewed OIG's 2018 inspection, which found the facility did not offer detained people outdoor recreation time; the facility only had recreational spaces within the housing units. During OIDO's 2022 inspection, inspectors found the facility had an outdoor recreation space and was in the process of constructing a new outdoor recreation area with an artificial turf and a shaded pavilion to address the previous recreation-related deficiency.

OIG also found that staff placed people in disciplinary segregation in restraints when outside their cells in violation of ICE detention standards. OIDO found the facility had updated its policies in January 2021 to state that people would not be handcuffed when outside the segregation cell unless they were identified as a threat to themselves, other detained people, staff, or the security of the facility. OIDO found these updated policies aligned with the ICE detention standards.

OIDO keeps recommendations open that have not been fully addressed. During the inspection of Folkston ICE Processing Center, OIDO reviewed medical staff credentialing files and found that the facility had not confirmed credentialing for several nurses through

the National Practitioner Data Bank (NPDB)¹⁰ because the facility's credentialing policy did not clearly specify this requirement. OIDO recommended the facility update the policy to include guidance on completing these credentialing requirements. ICE noted that the facility was in the process of obtaining an automated solution to credentialing and will, within this new system, expand the pool of employees to receive regular NPDB checks to include nurses. OIDO has left the recommendation open until the facility provides documentation showing that the process has been updated.

¹⁰ The NPDB is a web-based repository of reports containing information on medical malpractice payments and certain adverse actions related to health care practitioners, providers, and suppliers. Established by Congress in 1986, it is a workforce tool that prevents practitioners from moving state to state without disclosure or discovery of previous damaging performance.



Institutionalize the Office of the Immigration Detention Ombudsman.

In its fourth year, OIDO has focused on maturing as an organization. Now past the start-up phase, OIDO is always looking to improve its operations and ensure its contribution to the Department's mission. OIDO's responsibilities extend to a vulnerable population with needs that must be handled sensitively. OIDO has worked to standardize case intake and note-taking to streamline follow-up and identify trends more easily. OIDO also strives to stay on top of developments in the field—identifying pain points that require focus, adjusting processes, and inviting feedback on how OIDO can improve.

Deaths in Custody

OIDO was entrusted to chair a working group in DHS for over a year to help implement Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety.¹¹ Working in coordination with the Department of Justice (DOJ) under the guidance of the DHS Office of Strategy, Policy, and Plans, OIDO assisted nine DHS law enforcement agencies with integrating DOJ guidance into agency policy in accordance with requirements 11d and 11e of the Executive Order.

Through this process, OIDO has now been institutionalized by policy to receive death-in-custody notifications at the same time as other DHS oversight components. Additionally, OIDO connected DHS law enforcement entities impacted by the 11d and 11e requirements with death notification resources and training offered by the Federal Bureau of Investigation.

¹¹ [Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety.](#)

Customer Satisfaction Surveys

In 2023, OIDO launched a customer satisfaction survey regarding the public's experience requesting information from or attending events held by OIDO. In 2024, OIDO will make the results of the survey available on a periodic basis.

OIDO also surveyed DHS stakeholder participants following OIDO 101 orientations given in 2023. Overall feedback was quite positive, with participants consistently ranking the training with 4s and 5s on a 5-point scale. Participants also indicate that prior to the orientation, they had little to no knowledge of OIDO as a new DHS office and were pleased to have learned about OIDO's existence and role.



OIDO encourages open dialogue and welcomes feedback from stakeholders on detention issues. Here, a local case manager presents to immigration attorneys in Texas.

Disability Access

One of the many ways in which OIDO strives to carve out its own mission space and eliminate any redundancy is its deconfliction mechanism over disability access with DHS's CRCL. While all of OIDO's disability access cases are referred to CRCL for further investigation from a civil rights perspective, OIDO is often able to immediately assist individuals in custody with facilities and communications access while they are detained. In 2023, OIDO handled 35 disability complaints.

In 2023, OIDO began the development of its Disability Access Plan in accordance with DHS policy, which will clarify its statutory responsibilities under Section 504 of the Rehabilitation Act of 1973. All of DHS must provide accommodations to members of the public (to include detained people) who need to access OIDO's programs and activities (e.g., complaint process, stakeholder engagements, case management, inspections process, training events).

OIDO MATTERS

In July 2023, a detained person requested assistance from the OIDO case manager with a need for an accommodation for his disability. He had previously sought help from facility medical staff but had not yet been assisted. The individual wears a prosthetic due to an amputation of his left leg below the knee, but the prosthetic was deteriorating, and he did not have the materials he needed to make proper use of it. He had requested crutches but had not received any. The individual also reported that he was not able to shower for 5 days and relied on other people in custody to assist in performing basic daily tasks.

When the case manager approached facility leadership about addressing these issues, he was notified that the crutches had indeed been ordered and received. A facility nurse had erroneously told the detained person that he could not have them for security reasons. Once the case manager involved facility leadership, this misapprehension was corrected—medically necessary items can, in fact, be issued—and the detained individual received his crutches.



Training

In 2023, OIDO continued its ongoing effort to ensure its staff are as informed and educated as possible. Case managers received training on facility safety, family and parental interests, mediation, asylum, intake procedures, use of force, ICE custody resources, medical consultations, disability accommodations, and detention standards.

OIDO has worked in coordination with the Federal Law Enforcement Training Center (FLETC) throughout 2023 to create a new PBNDS training, running a test session for OIDO staff over the summer of 2023. The training is going through refinements, with the intent of providing training in 2024 as a Department-wide offering. OIDO is working on a similar training for the TEDS standards.



OIDO's Acting Ombudsman participating in a training of case management staff.

A photograph of two men in an office hallway. The man on the left is bald, has a goatee, and is wearing a dark suit, white shirt, and patterned tie. He is holding a stack of papers. The man on the right has short dark hair and a goatee, wearing a maroon polo shirt with a 'FOIDO' logo and a lanyard with 'DPS' and 'ODJO STATE' visible. He is also looking at the papers. The background shows a hallway with fluorescent lights and a framed picture on the wall. The entire image has a blue tint.

APPENDIX A: AUTHORIZING STATUTE

6 USC 205: Ombudsman for Immigration Detention

From Title 6 – DOMESTIC SECURITY

CHAPTER 1 – HOMELAND SECURITY ORGANIZATION

SUBCHAPTER IV – BORDER, MARITIME, AND TRANSPORTATION SECURITY

Part A – Border, Maritime, and Transportation Security Responsibilities and Functions

§205. Ombudsman for immigration detention

(a) In general

Within the Department, there shall be a position of Immigration Detention Ombudsman (in this section referred to as the “Ombudsman”). The Ombudsman shall be independent of Department agencies and officers and shall report directly to the Secretary. The Ombudsman shall be a senior official with a background in civil rights enforcement, civil detention care and custody, and immigration law.

(b) Functions

The functions of the Ombudsman shall be to:

- (1) Establish and administer an independent, neutral, and confidential process to receive, investigate, resolve, and provide redress, including referral for investigation to the Office of the Inspector General, referral to U.S. Citizenship and Immigration Services for immigration relief, or any other action determined appropriate, for cases in which Department officers or other personnel, or contracted, subcontracted, or cooperating entity personnel, are found to have engaged in misconduct or violated the rights of individuals in immigration detention;
- (2) Establish an accessible and standardized process regarding complaints against any officer or employee of U.S. Customs and

Border Protection or U.S. Immigration and Customs Enforcement, or any contracted, subcontracted, or cooperating entity personnel, for violations of law, standards of professional conduct, contract terms, or policy related to immigration detention;

- (3) Conduct unannounced inspections of detention facilities holding individuals in federal immigration custody, including those owned or operated by units of State or local government and privately-owned or operated facilities;
- (4) Review, examine, and make recommendations to address concerns or violations of contract terms identified in reviews, audits, investigations, or detainee interviews regarding immigration detention facilities and services;
- (5) Provide assistance to individuals affected by potential misconduct, excessive force, or violations of law or detention standards by Department of Homeland Security officers or other personnel, or contracted, subcontracted, or cooperating entity personnel; and
- (6) Ensure that the functions performed by the Ombudsman are complementary to existing functions within the Department of Homeland Security.

(c) Access to detention facilities

The Ombudsman, or designated personnel of the Ombudsman, shall be provided unfettered access to any location within each such detention facility and shall be permitted confidential access to any detainee at the detainee’s request and any departmental records concerning such detainee.

(d) Coordination with department components

(1) In general

The Director of U.S. Immigration and Customs Enforcement and the Commissioner of U.S. Customs and Border Protection shall each establish procedures to provide formal responses to



recommendations submitted to such officials by the Ombudsman within 60 days of receiving such recommendations.

(2) Access to information

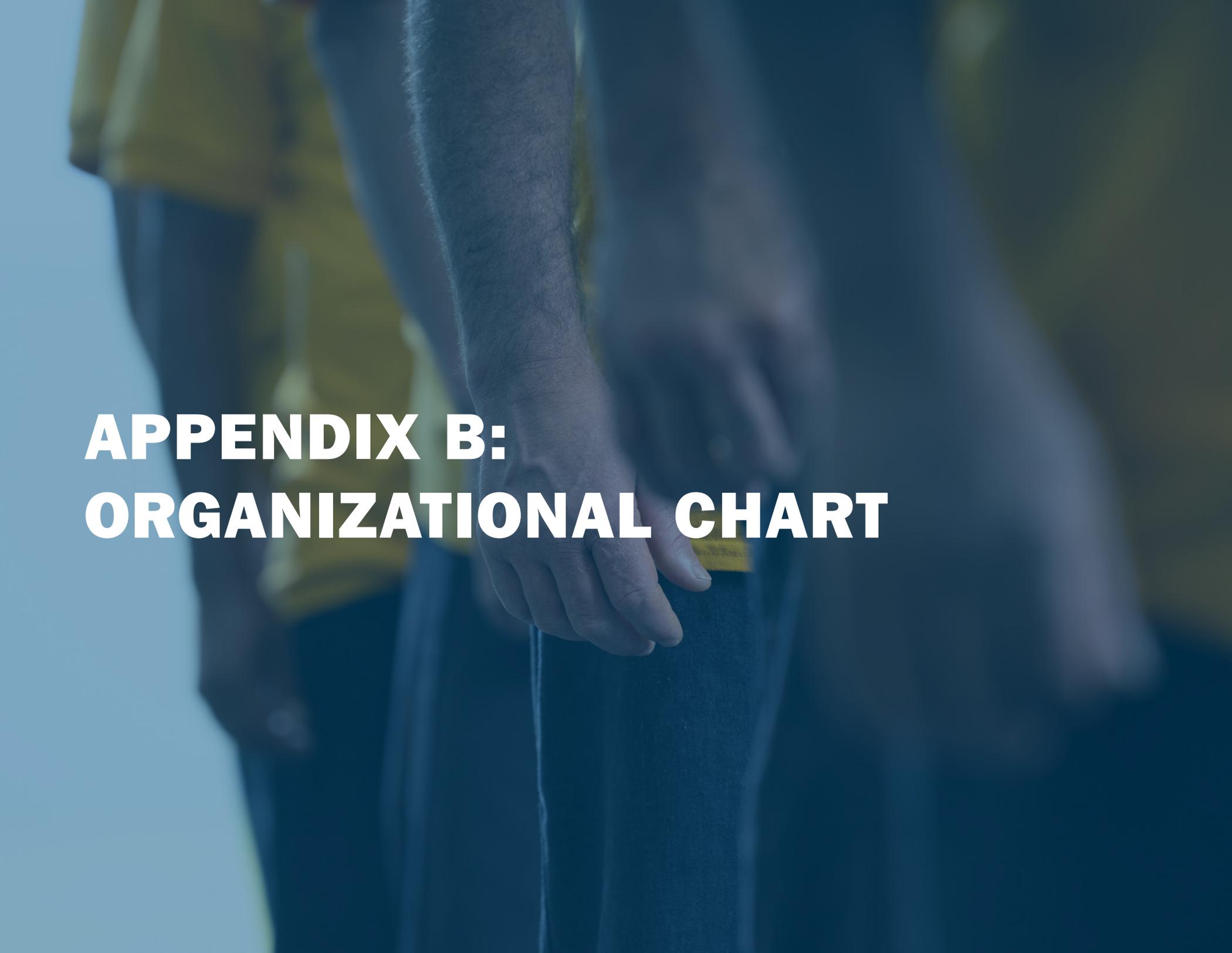
The Secretary shall establish procedures to provide the Ombudsman access to all departmental records necessary to execute the responsibilities of the Ombudsman under subsection (b) or (c) not later than 60 days after a request from the Ombudsman for such information.

(e) Annual report

The Ombudsman shall prepare a report to Congress on an annual basis on its activities, findings, and recommendations.

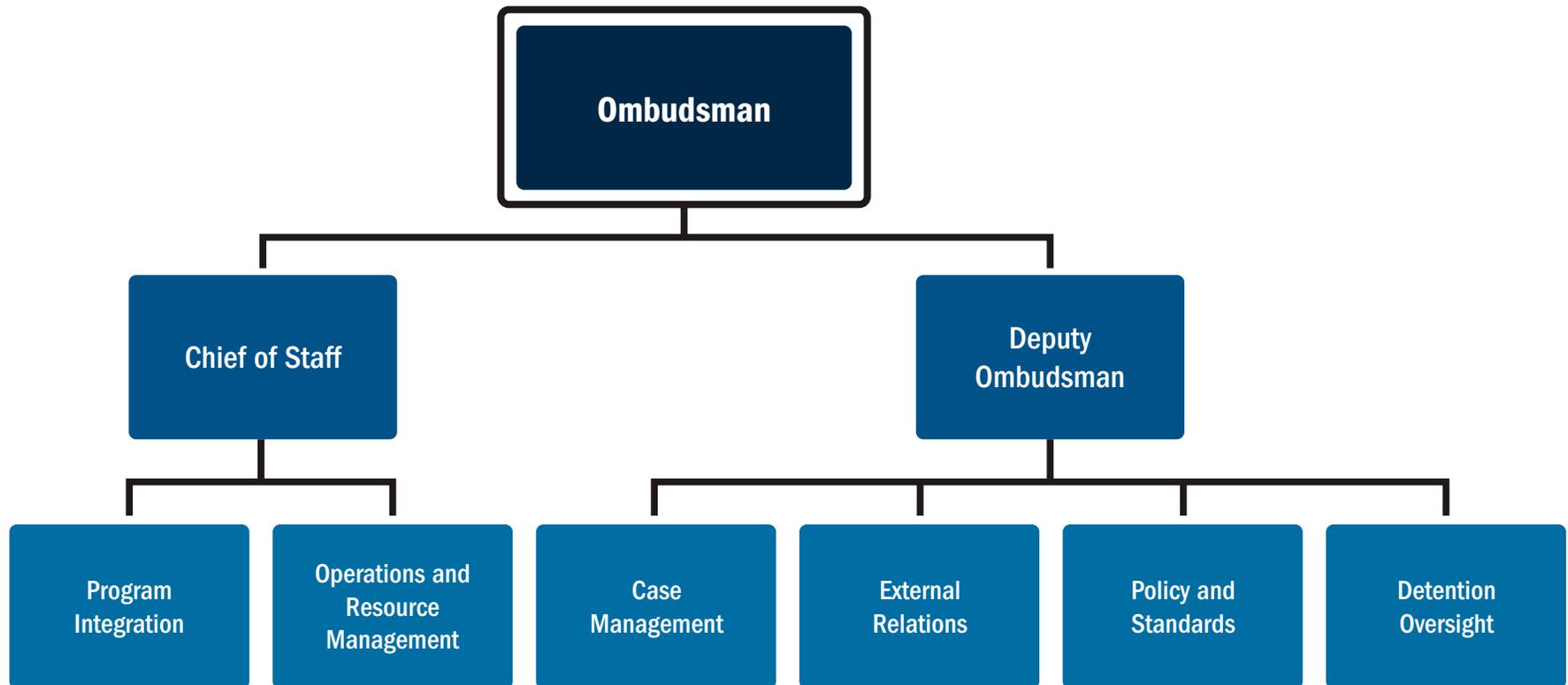
(Pub. L. 107–296, title IV, §405, as added Pub. L. 116–93, div. D, title I, §106(a), Dec. 20, 2019, 133 Stat. 2504.)





**APPENDIX B:
ORGANIZATIONAL CHART**

Current Organizational Structure





APPENDIX C: CASE MANAGEMENT

In 2023, OIDO case managers more than doubled the number of site visits to facilities where people are in DHS custody for immigration purposes. As a result of this increased reach and an increased

awareness of OIDO's roles and functions, the number of cases taken in also doubled. As shown below, the top concerns among people choosing to file complaints with OIDO are fairly consistent.

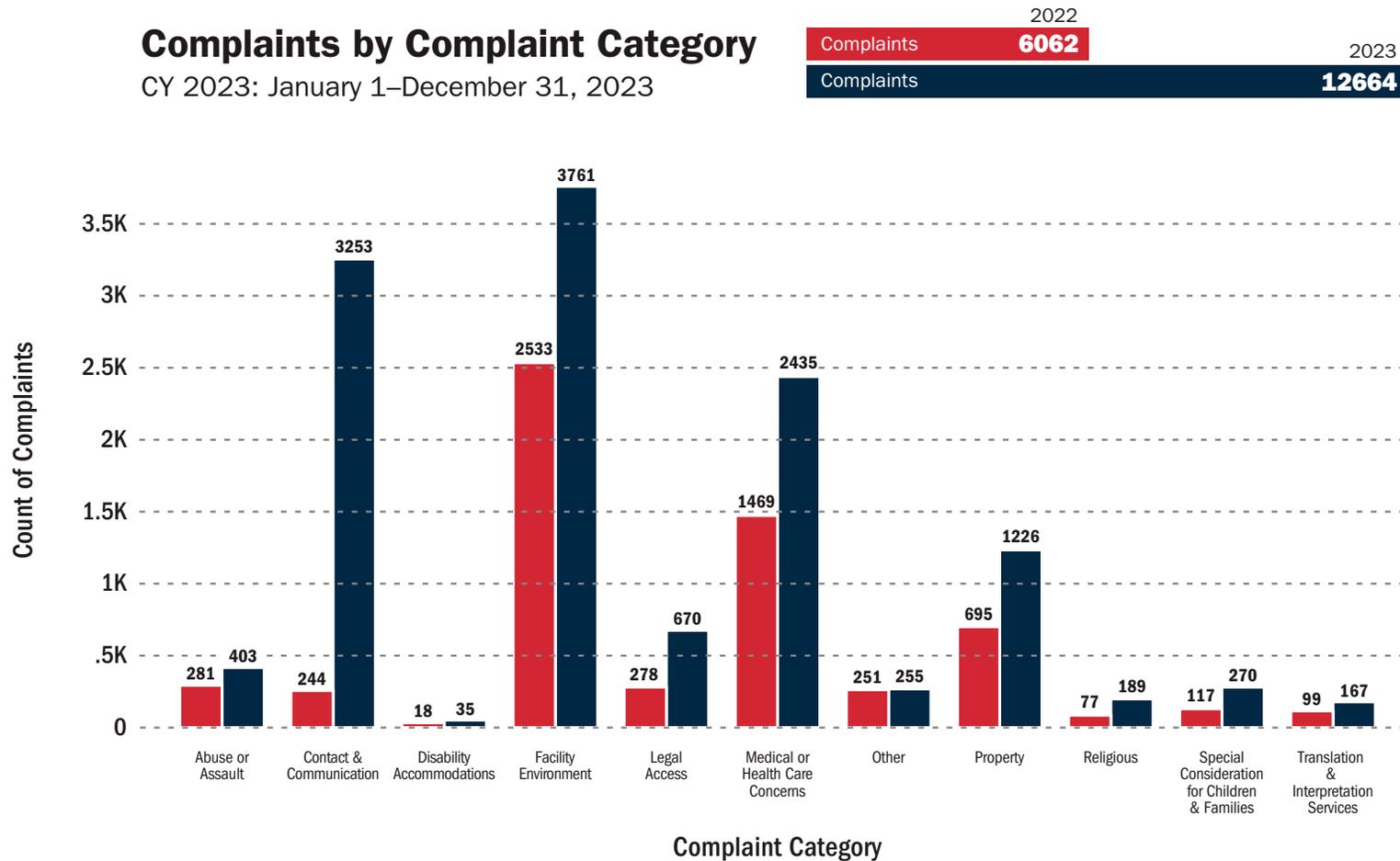


Figure 1. Complaints received in calendar year 2023 by complaint category. The Contact and Communication category was created at a later stage than other categories, accounting for the larger proportional difference between 2022 and 2023.



With more case managers, OIDO increased its presence nationwide. In addition to the facilities visited in 2022, case managers expanded their reach to include an additional 9 ICE facilities, 42 CBP locations, and 1 airport.

ICE: Massachusetts – Plymouth County Correctional Facility; Michigan – Monroe County Jail, St. Clair County Jail; Minnesota – Kandiyohi County Jail; New Hampshire – Strafford County Corrections; Ohio – Seneca County Jail; Rhode Island – Wyatt Detention Facility; Washington – Yakima ICE Sub-Office (ICE Air); and Wisconsin – Dodge County Jail

CBP: Arizona – Brian A. Terry U.S. Border Patrol (USBP) Station, Dennis DeConcini CBP Port of Entry (POE), Douglas CBP POE, Douglas USBP Station, Naco CBP POE, Nogales Processing Center, Nogales USBP Station, San Luis CBP POE, Sonoita USBP Station, Tucson Coordination Center USBP, Tucson Soft-Sided Facility, Wilcox USBP Station, USBP Yuma BP Station, Yuma Central Processing Center USBP; California – Brown Field USBP Station, Calexico USBP Station, Calexico West USBP Station, Campo USBP Station, El Centro Central Processing Center USBP, El Centro USBP Station, Imperial Beach USBP Station, Newton-Azrak USBP Station, San Clemente USBP Station, San Diego Soft-Sided Facility USBP; Bridge of the Americas CBP POE, Deming USBP Station; Michigan – Detroit USBP Processing Center, Port Huron CBP; New Mexico – Columbus BP POE, Santa Teresa USBP Station; Texas – El Paso PDT Processing Facility USBP, El Paso Soft-Sided Facility USBP, Lordsburg USBP Station, McAllen BP Station, Paseo del Norte CBP POE, USBP Harlingen Station, USBP McAllen CPC, USBP Ursula Central Processing Center, USBP Weslaco Station, Zaragoza CBP POE; and Washington – Blaine CBP POE, Blaine USBP Sector/Station

Airports: California – Los Angeles International Airport (LAX)

Site Visits per Month	2023	2022
January	340	24
February	307	68
March	374	156
April	435	145
May	586	157
June	430	202
July	418	231
August	506	323
September	405	268
October	443	239
November	441	327
December	382	304
Total	5,067	2,444





- | | | | | |
|---|--|--|--|---|
| 1 Boulevard Station
Boulevard, CA | 11 Del Rio BP Station
Del Rio, TX | 20 Firefly Soft Side BP Processing Facility
Eagle Pass, TX | 29 McAllen BP CPC
McAllen, TX | 38 San Ysidro—Class A, California POE
San Diego, CA |
| 2 Brian A. Terry Station
Bisbee, AZ | 12 Del Rio International POE
Del Rio, TX | 21 Fort Brown BP Station
Brownsville, TX | 30 McAllen BP Station
McAllen, TX | 39 Santa Teresa Border Patrol Station
Santa Teresa, NM |
| 3 Brown Field Station
Dulzura, CA | 13 Donna BP CPC
Donna, TX | 22 Harlingen BP Station
Harlingen, TX | 31 Naco, Arizona POE
Naco, AZ | 40 Sierra Blanca Station
Sierra Blanca, TX |
| 4 Brownsville BP Station
Olmito, TX | 14 Douglas Station
Douglas, AZ | 23 Imperial Beach Station
San Diego, CA | 32 Nogales Station
Nogales, AZ | 41 Theodore L. Newton, Jr. and
George F. Azrak Station
Murrieta, CA |
| 5 Gateway POE
Brownsville, TX | 15 Douglas, Arizona POE
Douglas, AZ | 24 Laredo BP ECPC
Laredo, TX | 33 Nogales, Arizona POE
Nogales, AZ | 42 Tucson Sector Coordination Center
Tucson, AZ |
| 6 Calexico Station
Calexico, CA | 16 Eagle Pass South Station
Eagle Pass, TX | 25 Laredo North BP Station
Laredo, TX | 34 Otay Mesa, California POE
Otay Mesa, CA | 43 Tucson Soft-Sided Facility
Tucson, AZ |
| 7 Calexico West, California POE
Calexico, CA | 17 El Centro Border Patrol Sector
Imperial, CA | 26 Laredo South BP Station
Laredo, TX | 35 Paso Del Norte POE
El Paso, TX | 44 Uvalde BP UC Hub
Uvalde, TX |
| 8 Camp Monument Brownsville
Brownsville, TX | 18 El Paso Central Processing Center
El Paso, TX | 27 Gateway to the Americas
International Bridge POE
Laredo, TX | 36 San Clemente Station
San Clemente, CA | 45 Weslaco BP Station
Weslaco, TX |
| 9 Campo Station
Pine Valley, CA | 19 El Paso Sector Soft-Sided Facility
El Paso, TX | 28 Lincoln/Juarez POE
Laredo, TX | 37 San Diego Soft-Side Facility
San Diego, CA | 46 Yuma Border Patrol Sector
Yuma, AZ |
| 10 Chula Vista Station
Chula Vista, CA | | | | |

Figure 2. Observations conducted by Case Management staff following the lifting of the public health order under Title 42.



Complaints Filed, 1/1/23–12/31/23

Most complaints are submitted in-person by a detained person to an OIDO Immigration Detention Case Manager on-site at an immigration detention facility. Other options for complaint submission are the OIDO Case Intake Form (DHS Form 405), which can be emailed or sent through postal mail, and the *myOIDO* portal, which was launched in March 2023.

Complaints are one of the many influencing factors when deciding where to conduct inspections; factors such as an increase in certain types of complaints, an anomalous number of complaints in a specific category, or an assessment by OIDO staff that issues occurring at the facility level require further review may trigger an inspection.

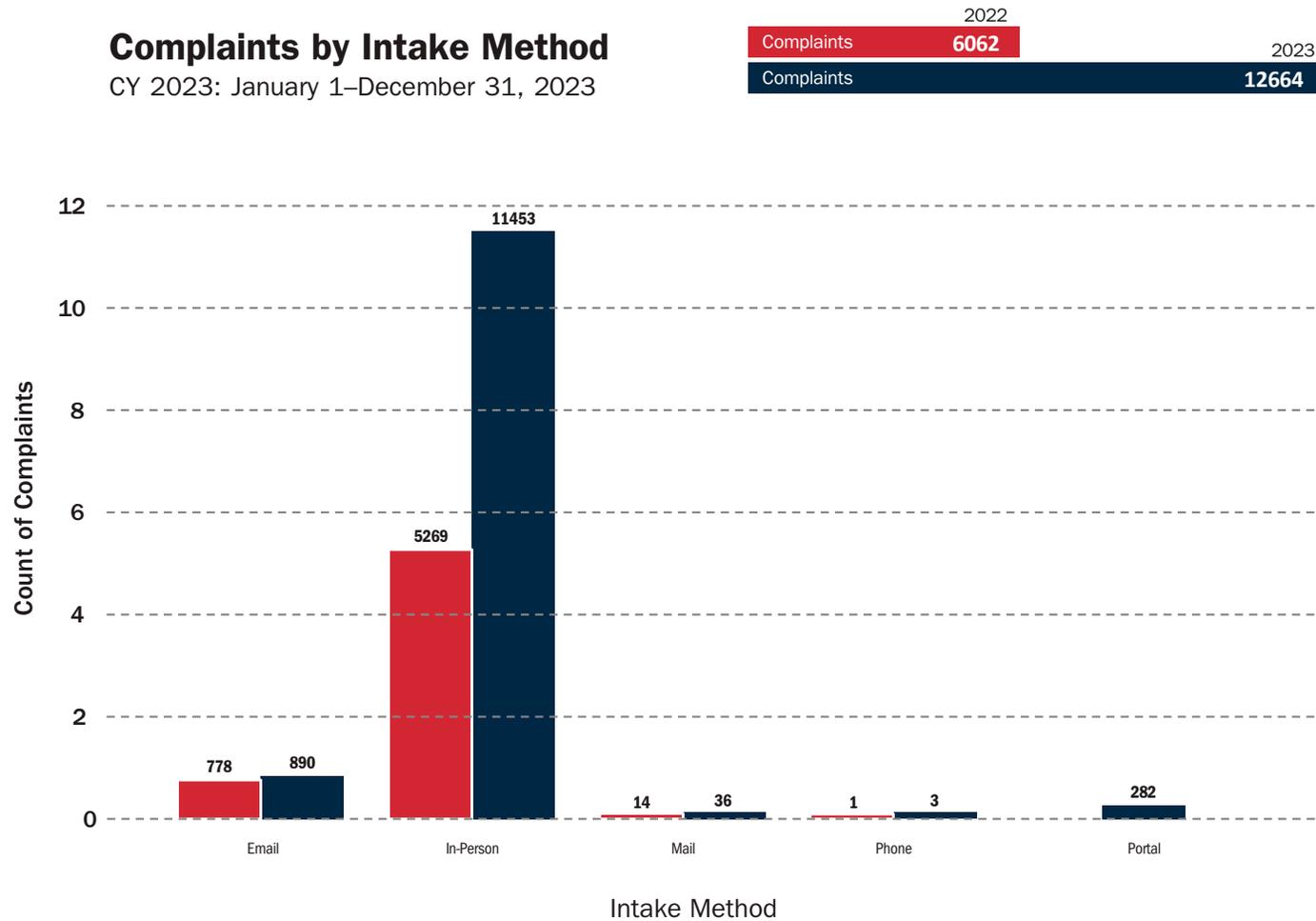


Figure 3. Complaints received in calendar year 2023 by intake method.



URGENT CARE

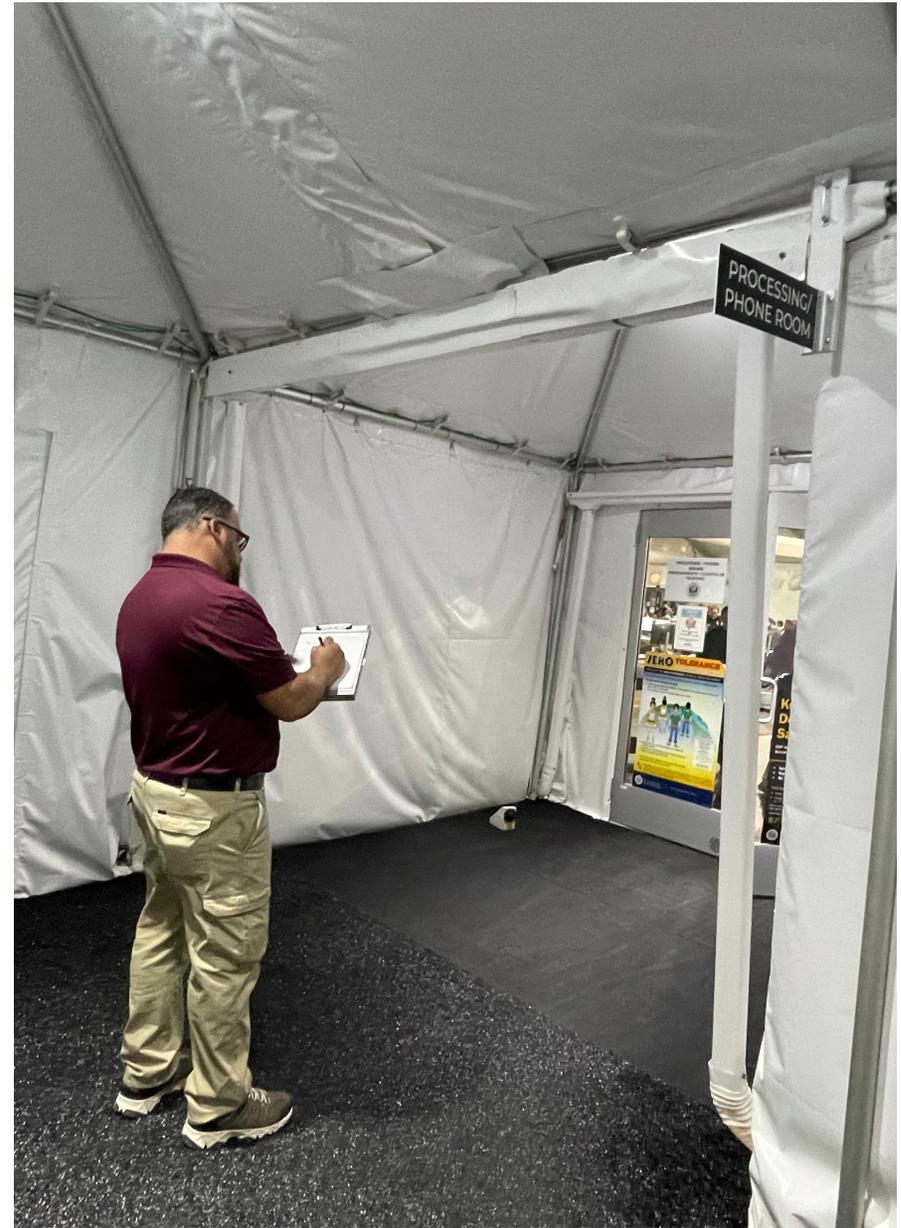
APPENDIX D: INSPECTIONS DIGEST



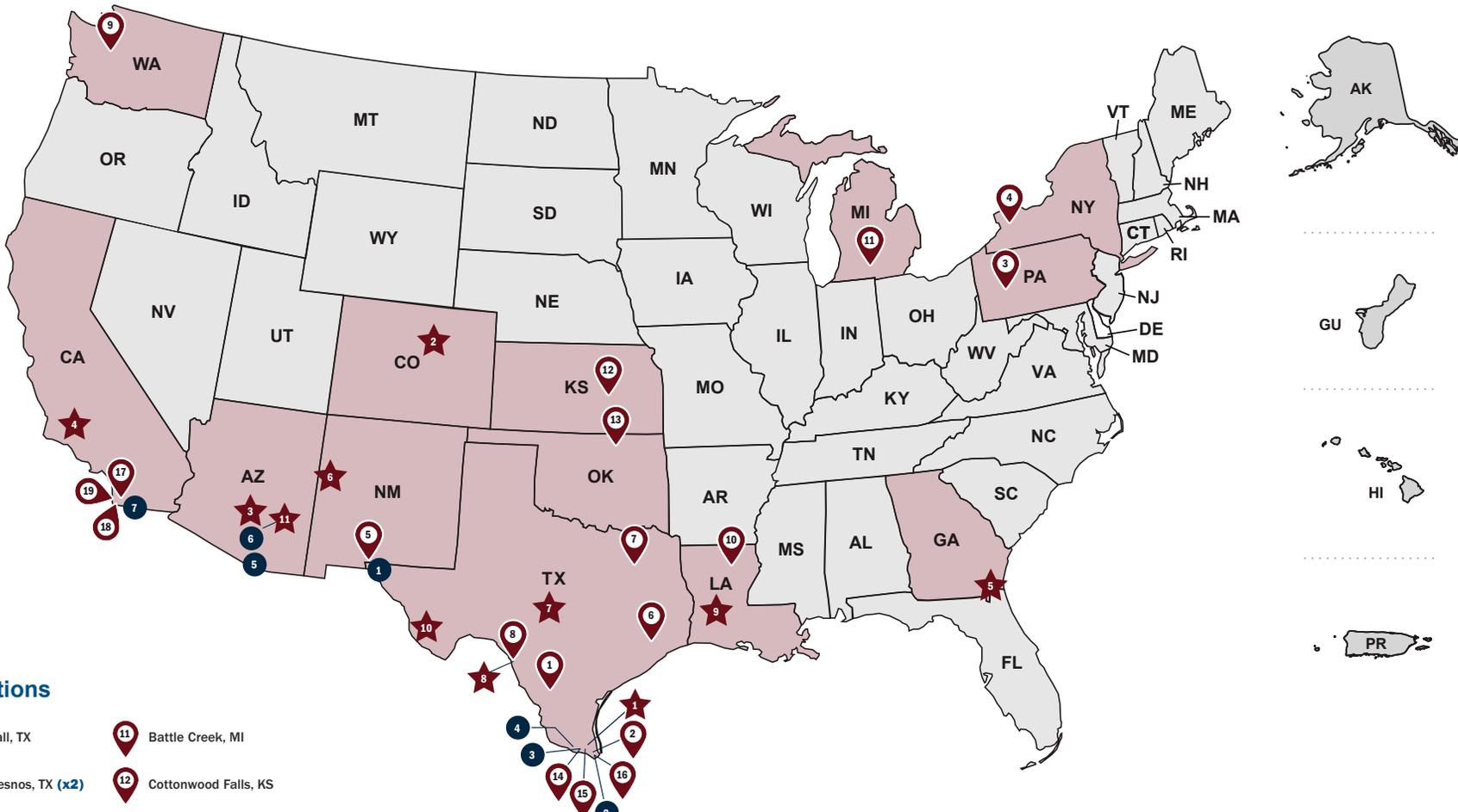
In 2023, OIDO completed 22 inspections and 9 observations and issued 11 reports to the component (ICE or CBP) that was inspected. Each facility inspected is subject to review of specifically chosen subject areas, which may cover any aspect of detention standards, as well as industry standards around medical practice, environmental health and safety, and occupational health and safety. A variety of factors—including complaint data, stakeholder feedback, ICE and CBP input, and previous DHS inspections—lead OIDO to conclude that an inspection is warranted.

While OIDO’s inspections focus on upholding the detention standards established by ICE and CBP, observations extend beyond these matters to cover the safety and well-being of all individuals in the facility, including facility staff and visitors. In this calendar year, the most commonly observed areas of compliance with detention standards were food service operations (found at eight facilities) and special management unit (found at five facilities). The most commonly observed areas of noncompliance were medical staff and emergency training (found at five facilities) and medical staffing levels (found at seven facilities).

In addition to inspections of facilities, OIDO conducted a review and issued a report regarding a medical contract. For the full content of OIDO’s inspection reports, please visit our website at dhs.gov/oido-publications. Synopses of each report are below.



OIDO inspector near processing phone room in soft-sided temporary facility.



Inspections

- | | |
|------------------------|-------------------------|
| 1 Pearsall, TX | 11 Battle Creek, MI |
| 2 Los Fresnos, TX (x2) | 12 Cottonwood Falls, KS |
| 3 Philipsburg, PA | 13 Newkirk, OK |
| 4 Batavia, NY | 14 Donna, TX |
| 5 Chaparral, NM | 15 Harlingen, TX |
| 6 Conroe, TX | 16 Brownsville, TX |
| 7 Alvarado, TX | 17 Pine Valley, CA |
| 8 Eagle Pass, TX | 18 Chula Vista, CA |
| 9 Tacoma, WA (x2) | 19 San Diego, CA (x2) |
| 10 Richwood, LA | |

Observations

- 1 El Paso, TX (x4)
- 2 Brownsville, TX
- 3 Donna, TX (x2)
- 4 McAllen, TX
- 5 Nogales, AZ
- 6 Tucson, AZ (x3)
- 7 Jacumba Hot Springs, CA

Reports

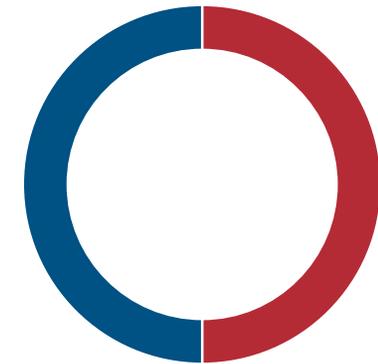
- | | |
|---------------------|--|
| 1 Raymondville, TX | 7 Eden, TX |
| 2 Denver, CO | 8 Eagle Pass, TX |
| 3 Florence, AZ | 9 Pine Prairie, LA |
| 4 Bakersfield, CA | 10 Big Bend Sector, TX (x4) |
| 5 Folkston, GA | 11 Medical Contracts Review (multiple locations) |
| 6 Cibola County, NM | |

Figure 1. This map indicates where OIDO issued reports (represented by stars), completed inspections (markers), and conducted observations (dots).



Eden Detention Center

In December 2022, OIDO conducted an unannounced inspection primarily to follow up on issues found by other oversight entities. OIDO found three deficiencies and made three recommendations for improvement. For example, OIDO found that the facility did not maintain acceptable temperatures for running water per applicable standards. After inspection, ICE assured that its contractor would establish processes to ensure housing unit water temperatures are properly maintained. In another case, OIDO found the facility did not maintain current credentialing documentation for its medical personnel and recommended the facility create procedures and training to ensure the facility maintain this information in a manner readily available for review. ICE responded that the Field Medical Coordinator (FMC) conducted a site visit and would reassess again during the first quarter of fiscal year 2024. OIDO considered the matter addressed pending documentation of the FMC's review in 2024.

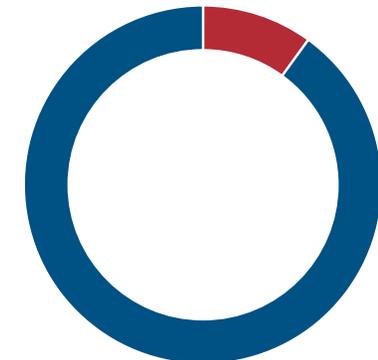


■ Noncompliance
■ Compliance

Figure 2. Edén Compliance Findings

Eagle Pass Soft-Sided Facility

In February 2023, OIDO conducted an announced inspection to review the facility's performance and compliance in the following areas: video surveillance system, evacuation plans, detainee segregation, custodial action logging, detention conditions, and detainee transportation. OIDO found the facility complied with standards in all areas except transportation. OIDO recommended USBP develop a national written policy and local procedures to address emergencies during transport. On October 31, 2023, USBP issued a directive requiring all sectors to establish a written policy for transporting staff to follow in the case of an en-route emergency. In December 2023, CBP provided these policies to OIDO.



■ Noncompliance
■ Compliance

Figure 3. Eagle Pass Compliance Findings



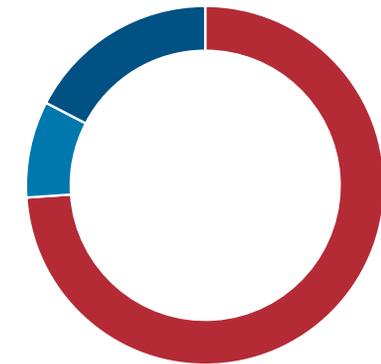
Cibola County Correctional Center

In August 2022, OIDO conducted an unannounced inspection to review the facility's performance and compliance in nine areas of the PBNDS (2011). OIDO found 16 deficiencies and 3 areas of concern. The facility resolved two deficiencies in a timely manner. Specifically, OIDO found that restroom facilities in one of the unit pods did not meet cleanliness standards, and the facility took action to bring the shower, sink, and toilet areas to an acceptably clean level. In addition, OIDO noticed a blocked drainage pipe causing a large amount of standing water, a potential safety hazard; shortly after the inspection, facility maintenance addressed the problem and provided OIDO with photo evidence that the safety hazard had been eliminated.

OIDO made nine recommendations; ICE agreed with all nine and addressed the identified issues. For example, OIDO found facility staff did not properly monitor detainee movement and recommended the facility create and implement internal controls, training, and oversight to ensure facility staff know and adhere to proper detainee escort procedures. The facility updated housing unit post orders to reflect required procedures and informed all affected staff of the changes. In another case, OIDO found detainee segregation records were not complete and recommended the facility create and implement internal controls, training, and oversight to ensure staff correctly complete all documentation required for detainee placement in segregation. The facility trained staff working in segregation and issued a memorandum detailing the protocol, posting it in the segregation office for continued reference.

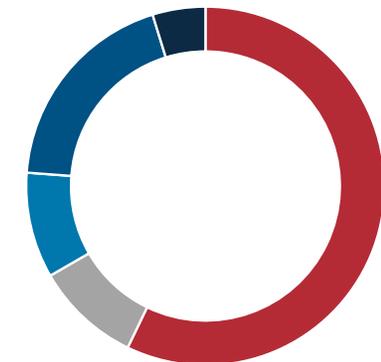
Pine Prairie ICE Processing Center

From August through September 2022, OIDO reviewed the facility's performance and compliance in nine sections of the PBNDS (2011). While OIDO found 17 deficiencies, it notes that the facility made timely corrective actions to address deficiencies in two areas, including repairing a broken drinking fountain and replacing a corroded sprinkler head. OIDO made eight recommendations for the remaining deficiencies. For example, OIDO found the facility freezer had condensation build-up that created a slip hazard and recommended the facility create and implement internal controls, training, and oversight to ensure food service equipment is routinely inspected and repaired in a timely manner. In response, the facility made repairs to equipment in the food service areas and took appropriate steps to ensure future compliance, including increasing the frequency of inspections and completing preventative maintenance. At the time the report was published, the facility had also responded to other recommendations by instituting an accountability system for on-site chemicals, updating computer workstations to ensure proper access to legal software, and reorienting cameras to provide detainee privacy in medical observation rooms.



- Noncompliance
- Resolved Area of Initial Noncompliance
- Compliance

Figure 4. Cibola Compliance Findings



- Noncompliance
- Area of Concern
- Resolved Area of Initial Noncompliance
- Compliance
- High Performance

Figure 5. Pine Prairie Compliance Findings



CBP Big Bend Sector Facilities

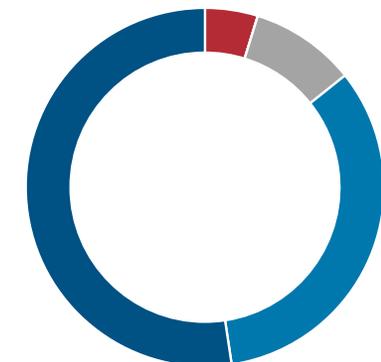
In May and July 2022, OIDO reviewed performance and compliance at four facilities in the Big Bend Sector in Texas. The inspections focused on facility conditions, detainee property, and contracted medical services. The facilities were generally compliant with TEDS Standards, the Personal Effects Internal Operating Procedures, and medical contract terms. However, there were deficiencies in staffing levels by the medical service provider and in the conduct of initial detainee health interviews, including limited documentation, lack of detainee privacy, and poor infection control practices. Finally, OIDO also noted concerns related to procedural discrepancies for pregnancy assessments.

The facilities took corrective action following the inspections to address deficiencies related to documentation of infection control practices during initial detainee health interviews. Further, as it relates to medical understaffing, OIDO noted that it found similar concerns at many facilities under the medical services contract and had made recommendations elsewhere regarding this issue. (The findings on Big Bend do not lend themselves to data visualization.)

Folkston ICE Processing Center

In November 2022, OIDO reviewed the facility's performance and compliance in 11 areas. The inspection led to 11 findings of compliance, 8 deficiencies, and 2 areas of concern. The facility took timely corrective action to address seven of the eight non-compliant areas before OIDO issued the report. In one instance, the facility updated its written policy for detainees' submission of medical grievances to reflect current practices. In another instance, the facility implemented a system that ensures the Contracting Officer's Representative would receive drug screening results within 24 hours moving forward.

OIDO's three recommendations to the facility focused on medical care, including staffing levels, health provider credentials, and mental health services. ICE concurred with all three recommendations and is in the process of addressing them. The facility is recruiting and hiring to fill vacant positions (while ICE is closely monitoring staffing levels), reviewing and updating its credentialing policy and improving its record check process via automation, and working to hire a licensed clinical social worker. OIDO will follow up on these actions and close the recommendations when sufficient evidence of their completion has been received.

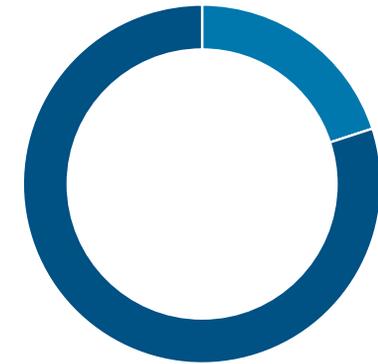


■ Noncompliance
■ Area of Concern
■ Resolved Area of Initial Noncompliance
■ Compliance

Figure 6. Folkston Compliance Findings

Mesa Verde ICE Processing Center

In August and September 2022, OIDO conducted an announced inspection to review the facility's performance and compliance in seven areas. The facility complied with standards in all areas reviewed except for three aspects of medical care, which the facility resolved after the inspection. For example, OIDO found the facility failed to protect detainee confidential health information from disclosure. As a result of OIDO's inspection, the facility provided refresher training for all medical staff and the facility, and ICE performed a review of communications between health care and custody staff once a week for 90 days to ensure 100 percent compliance. In another case, OIDO found the facility had not scheduled follow-up appointments in accordance with the treatment plan for several detainees; the facility corrected this deficiency by providing refresher training for all medical staff regarding scheduling procedures. OIDO considered the actions sufficient to address all three deficiencies.

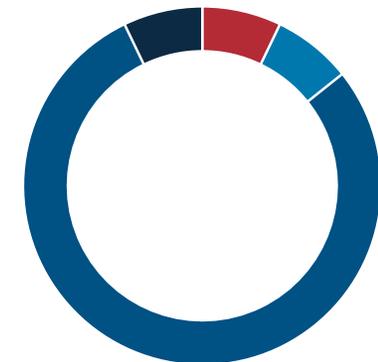


■ Resolved Area of Initial Noncompliance
■ Compliance

Figure 7. Mesa Verde Compliance Findings

Central Arizona Florence Correctional Center

In August 2022, OIDO conducted an unannounced inspection to review the facility's performance and compliance in 10 areas. The facility was compliant in most of the areas reviewed and performed exceptionally well in management and care of detainees in segregation. However, OIDO found the facility had deficiencies in two areas. Specifically, the facility had a damaged roof and malfunctioning camera equipment in a use of force incident. The facility made timely corrective action to replace the camera equipment. Therefore, OIDO made one recommendation to complete the outstanding roof repairs. The facility completed the repair and noted that the roof was also scheduled for replacement.

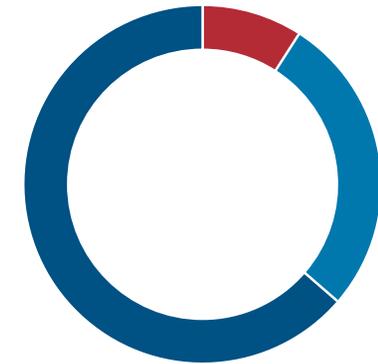


■ Noncompliance
■ Resolved Area of Initial Noncompliance
■ Compliance
■ High Performance

Figure 8. Florence Compliance Findings

Denver Contract Detention Facility (Aurora)

In July 2022, OIDO conducted an inspection to review the facility's performance and compliance in 11 areas. OIDO found the facility complied with standards in seven areas, had three deficiencies, and had one area of concern. The facility addressed the three deficiencies and the area of concern during or soon after OIDO's inspection. For example, OIDO observed condensation in the kitchen freezer caused by a broken fan unit, which created a slip hazard. The facility submitted work orders and ordered parts necessary to complete the repair. In another case, OIDO found the facility did not have enough trained female staff to accommodate female detainee requests to use the law library. After the inspection, the facility began training additional female staff to work in the law library. OIDO considered the actions sufficient to address all three deficiencies and the area of concern.



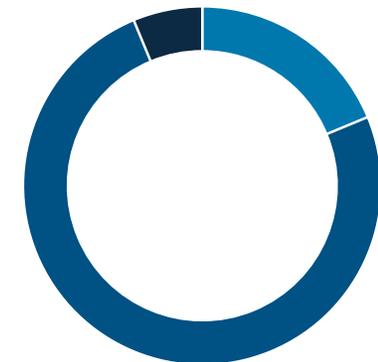
- Area of Concern
- Resolved Area of Initial Noncompliance
- Compliance

Figure 9. Aurora Compliance Findings

El Valle Detention Facility

In March 2022, OIDO conducted an unannounced inspection to review the facility's performance and compliance in 12 areas. OIDO found the facility complied with the detention standards in all but three areas and exceeded standards in operating its food service program. The facility took corrective action to address all three deficiencies shortly after the inspection. For example, OIDO found written detainee requests were not recorded as required. After the inspection, the facility created a logbook for this purpose and instructed officers to record all written detainee requests. In another case, OIDO found the facility recreation staff did not have the required special training. The recreation coordinator completed the training requirement within a month after the inspection.

OIDO made two recommendations for the facility's approach to electronic tablet usage and management. ICE agreed with both recommendations and indicated it would develop a written Quality Control Plan to ensure standard compliance and proper tablet maintenance and repair. OIDO considered the actions sufficient and left the recommendations open pending verification of completion.

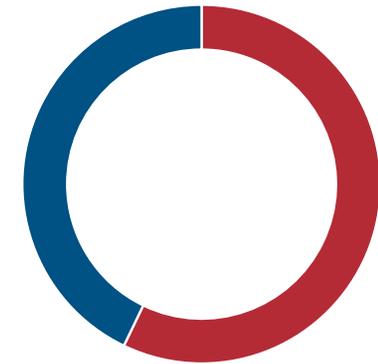


- Resolved Area of Initial Noncompliance
- Compliance
- High Performance

Figure 10. El Valle Compliance Findings

Review – CBP Medical Support Contract for Southwest Border and Tucson

OIDO evaluated the medical support contract between CBP and Loyal Source Government Services, LLC (LSGS) dated September 2020. LSGS was contracted to provide front-line medical services, medical logistics support, and medical quality management to ports of entry and USBP stations along the southwest border of the country. OIDO found that medical units in Tucson did not meet staffing level requirements and made one recommendation for CBP to monitor medical staffing levels and notify Senior Leadership monthly if staffing levels fell below a certain percentage.



■ Noncompliance

■ Compliance

Figure 11. Medical Contracts Compliance Findings



**APPENDIX E:
ACCOUNTABILITY MATRIX**

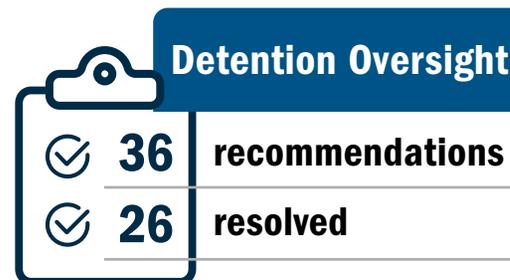
Appendix E: Accountability Matrix

Commitment

Maintain our efforts in case management and detention oversight and improve the safety and welfare of immigration detainees by helping U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) adopt the Office's recommendations from inspection reports.

Make on-site observations via case managers in over 90 ICE facilities, supplemented by facility inspections by trained investigators with expertise in detention standards and medical services.

Progress



Case Management:
12,664 cases taken in
12,682 cases closed*

*Higher number is due to cases from late 2022 being closed in 2023.



Expanded Case Managers monthly site visits to:

100 distinct custody and detention facilities

42 CBP locations

3 airports



OIDO also completed **22 inspections** in 2023, issuing final reports on **11 facilities**.

Appendix E: Accountability Matrix

Commitment

Progress

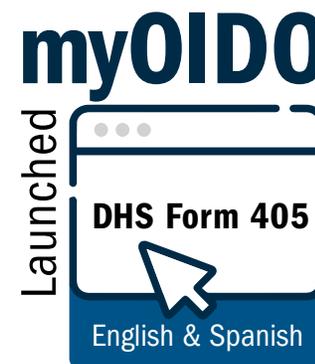
Ensure all immigration detainees can readily access an OIDO case manager at each detention facility where OIDO has a presence, whether in person or through an electronic portal, to help detainees receive quick resolution.

Bring awareness to the Ombudsman's mission to promote and support safe and humane conditions in detention by placing OIDO informational materials and videos in ICE and CBP facilities and providing informational presentations to Department personnel.

Continue developing internal office policies to provide a foundation for advancing our operations and continue to propose solutions to DHS in the form of recommendations, training and education, or policies and standards to address problems, challenges, and gaps impacting the immigration detention system.

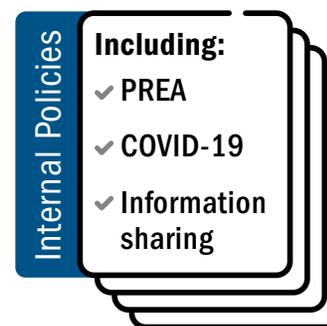


Case managers worked with facilities to establish **complaint submission mechanisms** appropriate to the facilities where they work, such as drop boxes, sign-up sheets, and electronic tablets.



Outreach to:

- 150+** department personnel educated through OIDO 101
- 9** consulates and embassies
- 69** immigration courts
- 50** members of Congress



OIDO has prioritized:

- updating its **Case Management Administrative Procedures**
- completing a 200-page **detention oversight manual**
- onboarding **62 full-time employees**



OIDO is an independent and neutral office—
separate from ICE and CBP—that is committed
to humane treatment and safe living conditions
for all individuals in U.S. immigration
custody and detention.





OIDO

Office of the Immigration
Detention Ombudsman

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