



Office for Civil Rights and Civil Liberties

Summary of CRCL Recommendation Memorandum and CBP's Response *Mass Migration Event in Del Rio, Texas*

On April 11, 2023, U.S. Customs and Border Protection (CBP) responded to a *Recommendation Memorandum* issued in December 2022 by the Office for Civil Rights and Civil Liberties (CRCL) about CBP's response to a mass migration event involving primarily Haitian migrants in Del Rio, Texas. CBP concurred with five of CRCL's recommendations, partially concurred with one, conditionally concurred with one, and non-concurred with one.

Background

In September 2021, CRCL opened three complaints related to CBP's response to a surge of primarily Haitian migrants who had unlawfully entered the United States near Del Rio. The three complaints were a representative sample of the numerous allegations that CRCL received related to this incident. The complaints alleged poor conditions in the partially fenced staging area under the Del Río-Ciudad Acuña International Bridge where migrants waited for processing and transportation. The complaints also alleged disparate and discriminatory treatment of Haitian migrants based on race and nationality and concerns related to the deployment of USBP Horse Patrol Units (HPU).

Investigation

In September 2021, CRCL deployed its Rapid Response Team to observe CBP activities in the partially fenced area under the bridge and to speak with the USBP Incident Commander and medical staff who were responding to the mass migration event. CRCL also met with representatives of Haitian-American organizations and advocacy groups, interviewed Haitian migrants who had been under the bridge, and reviewed records related to migrants who had been encountered by CBP. CRCL found concerns related to medical screening and language access for the migrants who were under the bridge. CRCL also determined that conditions were poor in the fenced area, including overcrowding, inadequate sanitation and cleanliness, and a lack of sufficient food and water. CRCL also found issues regarding the use of the HPU, particularly when used in situations involving surging crowds and families. CRCL did not find conclusory evidence of discrimination towards Haitian migrants by CBP.

Recommendations

On December 22, 2022, CRCL sent CBP a *Recommendation Memorandum* with eight recommendations related to CBP's response to emergent events, such as the September 2021 migrant surge. On April 11, 2023, CBP concurred with five of CRCL's recommendations, partially concurred with one, conditionally concurred with one, and non-concurred with one.

CBP agreed to 1) increase engagement between CRCL and the Southwest Border Coordination Center, 2) issue a mission-specific Internal Operating Procedure to provide meaningful language access to individuals during exigent circumstances, 3) conduct an evaluation of USBP's Horse Patrol Program (HPP) training and certification for its HPU, 4) revise HPP policies for deployment of HPUs in non-routine matters, and 5) reissue CBP's current non-discrimination law enforcement policy. CBP conditionally concurred with CRCL's recommendation to provide training to Border Patrol agents on the potential appearance of racial bias and discriminatory treatment. CBP did not agree with CRCL's recommendations related to medical screening.

CRCL provides the public with documents related to complaint investigations. After it has been prepared and reviewed, CRCL will post a redacted version of this Recommendation Memorandum on our [website](#) that will contain additional information about the complaint investigation and CRCL's findings and recommendations.

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