



Office for Civil Rights and Civil Liberties

Summary of CRCL's Recommendations and ICE's Response *Henderson Detention Center*

On July 19, 2023, U.S. Immigration and Customs Enforcement (ICE) responded to an Expert Recommendation Memorandum issued in September 2022 by the Office for Civil Rights and Civil Liberties (CRCL) that followed an onsite investigation at the Henderson Detention Center (Henderson). ICE concurred with five recommendations, partially concurred with seven, and non-concurred with 37.

Background

Between October 2020 and May 2021, CRCL opened four complaint investigations involving noncitizens in ICE custody at Henderson. The allegations raised concerns related to discrimination on account of gender and national origin, facility cleanliness, access to timely medical care, lack of adequate recreation time, limited visitation, and lack of access to the law library and legal information. Allegations also highlighted inadequate language access for LEP noncitizens. As a result of these complaints, CRCL conducted a multidisciplinary investigation at Henderson in March 2022 to examine the facility's operations and assess issues raising civil rights and civil liberties concerns.

Findings and Recommendations

On September 28, 2022, CRCL issued ICE an Expert Recommendation Memorandum based on its investigation conducted with the assistance of contract subject matter experts. The memo included 49 recommendations in the general areas of conditions of detention, medical care, mental health care, and environmental health and safety. The following highlights the top three findings and actions that ICE agreed to take as a result of CRCL's recommendations.

Prison Rape Elimination Act (PREA)

CRCL found that the facility had minimized reports of sexual victimization by a noncitizen with possible mental health issues. CRCL recommended that whenever an individual appears confused and reports a sexual assault, mental health staff should be contacted, conduct a psychiatric evaluation, and offer treatment. ICE agreed that staff must take seriously all statements from noncitizens claiming to be victims of sexual assault and must offer medical and mental health evaluations and treatment when appropriate.

Visitation

CRCL found that Henderson was only providing 20 minutes of visitation for detained noncitizens and recommended that the facility revise its policies, procedures, and practices to ensure a minimum of 30 minutes. ICE concurred and noted that Henderson now allows 40 minutes for general visits.

Out-of-Cell Time

CRCL found that the facility allowed noncitizens approximately two hours of out-of-cell time per day and did not provide outside recreation. After CRCL's onsite investigation, ICE noted that the limitation on out-of-cell time and outside recreation was remedied with noncitizens in general population receiving nine hours per day of out-of-cell time and one hour per day, five days a week, of outside recreation.

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

January 30, 2024