



# Office for Civil Rights and Civil Liberties

## Summary of CRCL's Recommendations and ICE's Response *Otero County Processing Center*

On August 4, 2022, U.S. Immigration and Customs Enforcement (ICE) responded to an *Expert Recommendation Memorandum* issued in July 2021 by the Office for Civil Rights and Civil Liberties (CRCL) that followed an onsite investigation at the Otero County Processing Center (OCPC). ICE concurred with 77 recommendations, partially concurred with three, and non-concurred with one.

### Background

Between October 2019 and November 2020, CRCL opened six complaint investigations involving noncitizens in ICE custody at OCPC. The allegations raised concerns related to COVID-19 protocols, retaliation, treatment of LGBTQI+ noncitizens, segregation, death of a noncitizen, medical care, food services, and laundry services. As a result of these complaints, CRCL conducted a multidisciplinary virtual onsite investigation at OCPC in November and December 2020 to examine the facility's operations and assess issues raising civil rights and civil liberties concerns.

### Findings and Recommendations

On July 20, 2021, CRCL issued ICE an *Expert Recommendation Memorandum* based on its investigation conducted with the assistance of contract subject matter experts. The memo included 81 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.

#### **Psychiatric Referral Criteria**

CRCL determined that some medical charts involving psychiatric medications that were initiated via telephone orders did not clearly document the rational or reasons for delayed or no tele-psychiatric contact. ICE agreed to follow the applicable standards for ensuring timely referrals and follow-ups after tele-psychiatry and the ordering of psychiatric medications. ICE further agreed to conduct monthly audits of chart reviews and conduct trainings as needed for any compliance issues.

#### **Transgender Care**

CRCL found that the facility did not properly screen noncitizens to identify LGBTQI+ noncitizens to ensure appropriate medical and mental health services. ICE agreed that medical staff will ask noncitizens gender identifying questions during intake and ensure that transgender noncitizens receive the appropriate services.

#### **Language Access**

CRCL found that OCPC did not consistently use professional interpretative services and document the use of language services. ICE agreed to only use hand-held devices for informal communications with noncitizens and to use professional language services for critical information with noncitizens. ICE also agreed to log the use of professional interpretative services, and OCPC conducted a new staff training regarding staff and noncitizen communications.

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*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.*

March 4, 2024