



# Department of Homeland Security Office for Civil Rights and Civil Liberties

Semiannual Report to Congress

*Third and Fourth Quarters, FY 2023 (April 1, 2023 – September 30, 2023)*

*May 16, 2024*



**Homeland  
Security**

# Foreword



I am pleased to present this Semiannual Report on the activities of the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL), as required by Section 803 of the *Implementing Recommendations of the 9/11 Commission Act of 2007*, 42 U.S.C. § 2000ee-1(f).

This Report includes information on the third and fourth quarters of Fiscal Year (FY) 2023. The DHS Chief Privacy Officer provides separate quarterly reports under the 9/11 Commission Act concerning privacy advice and complaints, available at the Privacy Office's website, <http://www.dhs.gov/privacy>.

Pursuant to congressional requirements, this Report is provided to the following Members of Congress:

**The Honorable Chris Murphy**

Chair, U.S. Senate Appropriations Subcommittee on Homeland Security

**The Honorable Katie Britt**

Ranking Member, U.S. Senate Appropriations Subcommittee on Homeland Security

**The Honorable Gary C. Peters**

Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs

**The Honorable Rand Paul**

Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

**The Honorable Mark Warner**

Chairman, U.S. Senate Select Committee on Intelligence

**The Honorable Marco Rubio**

Vice Chairman, U.S. Senate Select Committee on Intelligence

**The Honorable Dick Durbin**

Chair, U.S. Senate Committee on the Judiciary

**The Honorable Lindsey Graham**

Ranking Member, U.S. Senate Committee on the Judiciary

**The Honorable Mark Amodei**

Chairman, U.S. House Appropriations Subcommittee on Homeland Security

**The Honorable Henry Cuellar**

Ranking Member, U.S. House Appropriations Subcommittee on Homeland Security

**The Honorable Mark E. Green**  
Chairman, U.S. House Committee on Homeland Security

**The Honorable Bennie G. Thompson**  
Ranking Member, U.S. House Committee on Homeland Security

**The Honorable Michael Turner**  
Chairman, U.S. House Permanent Select Committee on Intelligence

**The Honorable Jim Himes**  
Ranking Member, U.S. House Permanent Select Committee on Intelligence

**The Honorable Jim Jordan**  
Chairman, U.S. House Committee on the Judiciary

**The Honorable Jerrold Nadler**  
Ranking Member, U.S. House Committee on the Judiciary

**The Honorable James Comer**  
Chairman, U.S. House Committee on Oversight and Accountability

**The Honorable Jamie Raskin**  
Ranking Member, U.S. House Committee on Oversight and Accountability

Additional information, including our prior semiannual and annual reports and our civil rights complaint contact information, is available at: [www.dhs.gov/crcl](http://www.dhs.gov/crcl). Please direct inquiries regarding this report to the DHS Office of Legislative Affairs at 202-447-5890.

Yours very truly,

Shoba Sivaprasad Wadhia  
Officer for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security

## Executive Summary

This Semiannual Report details CRCL's complaints activities, as required by section 803 of the *Implementing Recommendations of the 9/11 Commission Act of 2007*, 42 U.S.C. § 2000ee-1(f), during the third and fourth quarters of FY 2023. This report includes information on CRCL's investigative work during this time period.

The majority of complaints investigations opened by CRCL during this time period involved allegations made against U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE). The largest portion of complaints opened concerned alleged inadequate medical and/or mental health care for detainees in ICE custody. CRCL also opened several complaints related to conditions of confinement in ICE immigration detention facilities, due process, disability discrimination, and sexual abuse or assault. CRCL opened complaints concerning allegations of discrimination/profiling at CBP checkpoints and U.S. Ports of Entry, due process issues related to individuals in CBP custody, and excessive use of force.

The majority of complaints investigations closed by CRCL during this time period involved allegations against ICE. The largest portion of complaints closed concerned medical care and mental health care issues.

CRCL works closely with its DHS agencies and offices to conduct its complaint investigations. CRCL's efforts to protect civil rights and civil liberties in DHS programs is strengthened by collaboration and cooperation from DHS agencies to in every step of the complaint investigation process, from coordinating onsite investigations to implementing CRCL's advice and recommendations.



# DHS Office for Civil Rights and Civil Liberties FY 2023 Third and Fourth Quarter Report

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# I. Statutory Authority for Semiannual Report

## 42 U.S.C. § 2000ee-1 Privacy and Civil Liberties Officers

*Implementing Recommendations of the 9/11 Commission Act of 2007*, Pub. L. No. 110-53, sec. 803, 121 Stat. 266, 360-362, as amended by the *Intelligence Authorization Act for Fiscal Year 2014*, Pub. L. No. 113-126, title III, § 329(b)(4), 128 Stat. 1390, 1406.

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### (f) Periodic reports

#### (1) In general

The privacy officers and civil liberties officers of each department, agency, or element referred to or described in subsection (a) or (b) of this section shall periodically, but not less than semiannually, submit a report on the activities of such officers—

(A)(i) to the appropriate committees of Congress, including the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives;

(ii) to the head of such department, agency, or element; and

(iii) to the Privacy and Civil Liberties Oversight Board; and

(B) which shall be in unclassified form to the greatest extent possible, with a classified annex where necessary.

#### (2) Contents

Each report submitted under paragraph (1) shall include information on the discharge of each of the functions of the officer concerned, including—

(A) information on the number and types of reviews undertaken;

(B) the type of advice provided, and the response given to such advice;

(C) the number and nature of the complaints received by the department, agency, or element concerned for alleged violations; and

(D) a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of such officer.

### (g) Informing the public

Each privacy officer and civil liberties officer shall—

(1) make the reports of such officer, including reports to Congress, available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

(2) otherwise inform the public of the activities of such officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.

## II. Investigations Data and Analysis

CRCL reviews complaints concerning:

- alleged abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion by employees or officials of the Department, 6 U.S.C. § 345(a)(1);
- compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights or civil liberties of individuals affected by the programs and activities of the Department, 6 U.S.C. § 345(a)(4);
- possible abuses of civil rights or civil liberties, unless the DHS Office of Inspector General determines that any such complaint or information should be investigated by the Inspector General, 6 U.S.C. § 345(a)(6); and
- department, agency, or element actions, policies, procedures, guidelines, and related laws and their implementation to ensure that such department, agency, or element is adequately considering civil liberties in its actions, 42 U.S.C. § 2000ee-1(a)(2) and (a)(3).

Pursuant to 6 U.S.C. § 345(a)(6) and internal DHS policies, CRCL begins the investigation process by referring all complaints to the DHS Office of Inspector General (OIG). OIG then determines whether or not it will investigate the complaint. In the tables below, complaints kept by the OIG for investigation are designated “OIG retained.” If the OIG declines to investigate a complaint, the complaint is referred back to CRCL for investigation.

Under these authorities, CRCL reviews and assesses civil rights and human rights complaints from members of the public. These matters arise in a variety of contexts—labeled “situations” in the tables below—and concern one or more issues. The tables below identify investigations by the primary situation and issue involved.

CRCL initiates investigations based on allegations of violations of civil rights, civil liberties, or human rights by DHS programs, activities, or personnel received from the general public, other federal agencies, non-governmental organizations, and Congress. CRCL may also initiate investigations based on media reports or other sources. Incidents that might merit investigation are also forwarded to CRCL from other offices at DHS and other government agencies. Allegations may be submitted via U.S. mail, email, fax, the CRCL telephone hotline, or the [CRCL online complaints portal](#), which was launched in March 2023. Individuals who submit allegations via the online portal receive a confirmation message and reference number. The portal provides easy access for mobile device and tablet users. Allegations can be submitted via the online portal in ten different languages.

In addition to complaints alleging violations of civil rights and civil liberties arising from the Department's activities, CRCL has delegated authority from the Secretary to ensure the federally assisted programs or activities of the Department comply with, among other things, Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972, as amended; the Rehabilitation Act of 1973, as amended; and the Age Discrimination Act of 1972. CRCL carries out a compliance and enforcement program that includes, but is not limited to complaints, compliance reviews, data collection, and monitoring. During the fiscal year, approximately 5,000 entities received financial assistance from DHS and thus were subject to these authorities. CRCL

did not open any Title VI complaints during the reporting period. No complaints were resolved during this timeframe.

**Table 1** summarizes investigations opened during the third and fourth quarters of FY 2023 by the primary civil rights *issue* raised, the *situation* in which the investigation arose, and the DHS *agency* that was the primary subject of the investigation.

**Table 2** summarizes all 6 U.S.C. § 345 complaint investigations, including those initiated prior to FY 2023, in process as of the last day of the quarter (September 30, 2023).<sup>1</sup> If CRCL refers a complaint to a DHS agency for investigation, the agency issues a Report of Investigation to CRCL, which is reviewed by CRCL. If the complaint is not referred to an agency, it is retained by CRCL for investigation. CRCL issues retention memoranda for investigations that are larger in scope or complexity. CRCL uses its “short form” process to expedite investigations of narrowly focused allegations. The short form process makes it easier to open and close complaints, allowing speedier resolution. Cases that subsequently require additional work are converted to standard retained investigations. CRCL contracts with subject matter experts (SMEs) in areas including general corrections, medical and mental health, suicide prevention, environmental health and safety, and law enforcement practices to evaluate certain allegations and make recommendations.

When an investigation is complete, whether conducted by CRCL or the agency involved, CRCL may close the complaint and/or provide senior leadership of the relevant agency with any recommendations or advice for improving policies, practices, or training. CRCL notifies complainants of the results of investigations, including any actions taken in response. CRCL’s recommendations are reviewed by DHS agencies, who in turn concur or non-concur on each CRCL recommendation. For concurred-upon recommendations, the agency provides an action plan, and CRCL monitors the implementation of those recommendations. If the agency does not concur, CRCL may request that the agency reconsider its response to formal recommendations issued by CRCL; CRCL may also appeal the agency’s response to the Deputy Secretary of Homeland Security.

When CRCL closes a complaint investigation, the investigation may lead to a variety of outcomes:

***Recommendation Memoranda:*** CRCL issues Recommendation Memoranda to address civil rights and civil liberties issues throughout the Department. These memoranda aim to enhance overarching DHS civil rights and liberties protections and typically recommend broad, systemic changes, such as the creation or revision of policies, alterations to practices and procedures, and modifications to training.

***Onsite Recommendation Memoranda:*** CRCL issues an Onsite Recommendation Memorandum to DHS agencies when conducting a multidisciplinary onsite investigation. Multidisciplinary onsite investigations include the use of contract SMEs in a variety of disciplines, including medical care, mental health care, conditions of detention, suicide prevention, use of force, and environmental health and safety.

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<sup>1</sup> The “in process” categories include multiple cases in which Reports of Investigation (ROIs) have been received from DHS agencies and are currently under review within CRCL. Pursuant to CRCL’s practice, these investigations remain officially “in process” until CRCL has completed its review and response to the ROIs.



**Key Civil Rights Finding and Recommendation Memoranda:** CRCL issues Key Civil Rights Finding and Recommendation Memoranda when conducting additional onsite investigations that are narrower in scope or focus than the multidisciplinary onsite investigations. These investigations may or may not involve the use of contract SMEs and include Spot Checks, Targeted Onsites, Rapid Response, and Disability-focused Onsites.

**Informal Advice:** In lieu of issuing formal recommendations, CRCL may conclude a complaint investigation by issuing Informal Advice to an agency. Informal Advice is appropriate for a narrow concern or request that is best addressed by communication to agency operations. These communications explain the issue or concern found and may offer suggested actions.

**Complaints Closed without Recommendations:** In the majority of complaint investigations, CRCL closes the investigation without issuing recommendations or advice. This occurs when allegations are unsubstantiated, when allegations do not warrant a recommendation because existing policy, procedures, and training are found to be sufficient, or when the agency has already addressed the concerns that the Compliance Branch identified.

**Section 504 Determinations:** In investigations of alleged violations of Section 504 of the Rehabilitation Act of 1973, as amended, CRCL issues written determinations detailing its findings of fact and conclusions of law. In cases where CRCL finds that a DHS agency violated Section 504, CRCL orders individual remedies or corrective actions, such as improvements to disability access or reasonable modifications.

**Section 504 Informal Resolutions:** Where possible, CRCL strives to informally resolve Section 504 complaints to allow for an expedient resolution of complainants' concerns while providing agencies an opportunity to collaborate with CRCL and implement corrective actions driven by the complainant.

CRCL strives to maintain transparency in its civil rights investigations processes and posts investigations-related work products on the DHS public website at <https://www.dhs.gov/transparency-civil-rights-investigations>.

**Table 3** includes data about investigations closed during the third and fourth quarters of FY 2023, by issue, situation, and principal agency involved.

**Table 1.** Investigations opened, Q3 and Q4 2023 (as of September 30, 2023)

<i>Total by Issue</i>	Agency									
	CBP	DHS	DHS HQ	FEMA	ICE	TSA	USCG	USCIS	USSS	Total
Subtotal by Situation										
<b>Abuse of authority/misuse of official position</b>	<b>5</b>	<b>1</b>			<b>6</b>					<b>12</b>
CBP detention	1									1
CBP OFO port of entry or USBP checkpoint	1									1
DHS law enforcement activity	1									1
DHS program or initiative	1				1					2
Federal government building or area	1	1								2
Immigration detention					5					5
<b>Conditions of detention</b>	<b>3</b>				<b>40</b>					<b>43</b>
CBP detention					1					1
CBP OFO port of entry or USBP checkpoint	1									1
Immigration detention					39					39
Unaccompanied minor	2									2
<b>Death</b>	<b>7</b>				<b>2</b>					<b>9</b>
CBP detention	2									2
DHS law enforcement activity	5									5
Immigration detention					2					2
<b>Disability discrimination</b>	<b>2</b>			<b>1</b>	<b>10</b>			<b>7</b>		<b>20</b>
CBP OFO port of entry or USBP checkpoint	2									2
DHS program or initiative				1	1					2
Immigration benefit application processing								7		7
Immigration detention					9					9
<b>Discrimination/profiling</b>	<b>7</b>	<b>1</b>			<b>8</b>				<b>1</b>	<b>17</b>
CBP detention	1									1
CBP OFO port of entry or USBP checkpoint	5	1								6
DHS law enforcement activity					1					1
Immigration detention					7					7
Non-immigrant visa processing	1									1
Watchlist/aviation security list									1	1

**Table 1 continued, Investigations opened Q3 and Q4 2023 (as of September 30, 2023)**

<b>Total by Issue</b>	<b>Agency</b>									
<b>Subtotal by Situation</b>	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
<b>Due process</b>	<b>15</b>	<b>11</b>			<b>16</b>		<b>1</b>	<b>3</b>		<b>46</b>
CBP detention	1	2								3
CBP OFO port of entry or USBP checkpoint	4									4
DHS program or initiative	2	1			1		1	1		6
DHS public messaging/website	1									1
Federal government building or area					1					1
Immigration benefit application processing		2						2		4
Immigration detention		3			14					17
Protection screening		2								2
Unaccompanied minor	7	1								8
<b>Excessive or inappropriate use of force</b>	<b>15</b>	<b>1</b>	<b>1</b>		<b>8</b>					<b>25</b>
CBP OFO port of entry or USBP checkpoint	3									3
DHS law enforcement activity	7	1								8
Immigration detention					8					8
Political demonstration/rally			1							1
Unaccompanied minor	5									5
<b>First Amendment (free speech/association)</b>	<b>1</b>	<b>2</b>	<b>3</b>							<b>6</b>
CBP OFO port of entry or USBP checkpoint	1									1
DHS law enforcement activity		1								1
Federal government building or area		1	3							4
<b>Fourth Amendment (search and seizure)</b>	<b>7</b>	<b>1</b>			<b>2</b>					<b>10</b>
CBP OFO port of entry or USBP checkpoint	7									7
DHS law enforcement activity		1			2					3
<b>Human rights</b>	<b>2</b>						<b>1</b>			<b>3</b>
CBP detention	1									1
DHS program or initiative	1									1
Immigration detention							1			1
<b>Inappropriate questioning/inspection conditions (non-TSA)</b>	<b>1</b>									<b>1</b>
CBP OFO port of entry or USBP checkpoint	1									1
<b>Inappropriate touch/search of person (non-TSA)</b>	<b>1</b>									<b>1</b>
CBP OFO port of entry or USBP checkpoint	1									1

**Table 1 continued, Investigations opened Q3 and Q4 2023 (as of September 30, 2023)**

<b>Total by Issue</b>	<b>Agency</b>									
<b>Subtotal by Situation</b>	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
<b>Language access (limited English proficiency)</b>	4	1		1	5			3		14
CBP OFO port of entry or USBP checkpoint	3									3
DHS regulatory/rule processing				1						1
Immigration benefit application processing								2		2
Immigration detention		1			5			1		7
Screening (non-watchlist)	1									1
<b>Legal access</b>					2					2
Immigration detention					2					2
<b>Medical/mental health care</b>	1	5			220					226
CBP detention	1									1
Immigration detention		5			220					225
<b>Privacy</b>	1	2			3	1				7
CBP OFO port of entry or USBP checkpoint	1									1
DHS law enforcement activity		1								1
Federal government building or area		1								1
Immigration detention					3					3
Screening (non-watchlist)						1				1
<b>Religious accommodation</b>					3					3
Immigration detention					3					3
<b>Retaliation</b>					2					2
Immigration detention					2					2
<b>Sexual abuse or assault</b>	3				9					12
CBP detention	1									1
CBP OFO port of entry or USBP checkpoint	2									2
Immigration detention					9					9
<b>TSA AIT and TSA pat-downs</b>						3				3
Screening (non-watchlist)						3				3
<b>Grand Total</b>	<b>75</b>	<b>25</b>	<b>4</b>	<b>2</b>	<b>336</b>	<b>4</b>	<b>2</b>	<b>13</b>	<b>1</b>	<b>462</b>

**Table 2.** Investigations in process, Q3 and Q4 2023 (as of September 30, 2023)

	OIG Retained	CRCL Retained		CRCL Referred	Total
		Full Investigation	Short Form		
<i>By issue</i>					
Abuse of authority/misuse of official position		2	16	7	25
Conditions of detention		20	33	3	56
Death	1		16		17
Disability discrimination		3	23		26
Discrimination/profiling	1	13	22		39
Due process		9	68	3	81
Excessive force or inappropriate use of force		1	32	4	41
First Amendment (free speech/association)	1	1	6	8	8
Fourth Amendment (search and seizure)		1	9		10
Human rights		1	4		5
Inappropriate questioning/inspection conditions		1	3		4
Inappropriate touch/search of person			1		1
Intimidation/threat/improper coercion		2		1	3
Language access		2	19		21
Legal access		3	3	2	8
Medical/mental health care		25	193	4	222
Privacy		2	6		8
Religious accommodation		5	1		6
Retaliation			6	3	9
Sexual assault/abuse	2	2	14	2	20
TSA AIT and TSA pat-downs			3		3
<b>Total by issue</b>	<b>5</b>	<b>93</b>	<b>478</b>	<b>37</b>	<b>613</b>

*Table 2 continued, Investigations in process Q3 and Q4 2023 (as of September 30, 2023)*

	OIG Retained	CRCL Retained		CRCL Referred	Total
		Retention Memo	Short Form		
<b><i>By situation</i></b>					
CBP holding		2	19	3	24
CBP OFO port of entry or USBP Checkpoint	7	21	79	10	117
DHS law enforcement activity	4	2	26	4	36
DHS program or initiative	1	2	17	1	21
DHS public messaging/websites			2		2
DHS regulatory/rule processing			3		3
DHS supported activity		2	9		11
Federal government building or area			5	1	6
Immigration benefit application processing		6	11	2	19
Immigration detention	20	72	386	31	509
Political demonstration/rally			1		1
Protection screening		5	1	1	7
Screening (non-watch list)			3		3
Unaccompanied minor			26	7	33
Watchlist/aviation security list			1		1
<b>Total by situation</b>	<b>32</b>	<b>112</b>	<b>589</b>	<b>60</b>	<b>793</b>
<b><i>By Agency</i></b>					
CBP	9	25	152	21	207
DHS			1		1
FEMA			4		4
ICE	23	70	399	34	526
TSA			2		2
USCIS		11	11	2	24
Multi-Agency		6	20	3	29
<b>Total by Agency</b>	<b>32</b>	<b>112</b>	<b>589</b>	<b>60</b>	<b>793</b>

**Table 3. Investigations closed, Q3 and Q4 2023 (as of September 30, 2023)**

<i>Total by Issue</i>	<b>Agency</b>									
	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
Subtotal by Situation										
<b>Abuse of authority/misuse of official position</b>	<b>12</b>	<b>1</b>			<b>17</b>					<b>30</b>
CBP OFO Port of Entry or USBP Checkpoint	7									7
DHS Law Enforcement Activity	2				1					3
DHS Program or Initiative	2				1					3
Federal Government Building or Area	1									1
Immigration Benefit Application Processing		1								1
Immigration Detention					15					15
<b>Conditions of detention</b>	<b>12</b>			<b>1</b>	<b>72</b>			<b>1</b>		<b>86</b>
CBP Detention	5				1					6
CBP OFO Port of Entry or USBP Checkpoint	3									3
Immigration Detention				1	69			1		71
Unaccompanied Minor	4				2					6
<b>Death</b>	<b>22</b>	<b>1</b>			<b>9</b>					<b>32</b>
CBP Detention	5									5
CBP OFO Port of Entry or USBP Checkpoint	1									1
DHS Law Enforcement Activity	16									16
Immigration Detention		1			9					10
<b>Disability discrimination</b>	<b>19</b>	<b>2</b>		<b>1</b>	<b>16</b>			<b>11</b>		<b>49</b>
CBP Detention	1									1
CBP OFO Port of Entry or USBP Checkpoint	16									16
DHS Program or Initiative	1			1				2		4
DHS Supported Activity	1									1
Federal Government Building or Area		2								2
Immigration Benefit Application Processing								7		7
Immigration Detention					16					16
Non-Immigrant Visa Processing								1		1
Protection Screening								1		1

**Table 3 continued, Investigations closed Q3 and Q4 2023 (as of September 30, 2023)**

<b>Total by Issue</b>	<b>Agency</b>									
	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
<b>Subtotal by Situation</b>										
<b>Discrimination/profiling</b>	<b>29</b>	<b>1</b>		<b>1</b>	<b>12</b>	<b>1</b>		<b>5</b>	<b>1</b>	<b>50</b>
CBP Detention	2									2
CBP OFO Port of Entry or USBP Checkpoint	20									20
DHS Law Enforcement Activity					1					1
DHS Program or Initiative	4									4
DHS Public Messaging/Website	1									1
DHS Supported Activity								2		2
Federal Government Building or Area		1								1
Immigration Benefit Application Processing								3		3
Immigration Detention					11					11
Non-Immigrant Visa Processing	1									1
Screening (non-watchlist)				1		1				2
Unaccompanied Minor	1									1
Watchlist/Aviation Security List									1	1
<b>Due process</b>	<b>43</b>	<b>8</b>			<b>39</b>			<b>1</b>		<b>91</b>
CBP Detention	2	1								3
CBP OFO Port of Entry or USBP Checkpoint	11	1								12
DHS Law Enforcement Activity	3				3					6
DHS Program or Initiative	7	1			1					9
DHS Regulatory/Rule Processing	1	1								2
Federal Government Building or Area					1					1
Immigration Benefit Application Processing	1									1
Immigration Detention		1			34			1		36
Protection Screening		2								2
Screening (non-watchlist)	1									1
Unaccompanied Minor	17	1								18
<b>Excessive or inappropriate use of force</b>	<b>24</b>	<b>4</b>			<b>34</b>					<b>62</b>
CBP OFO Port of Entry or USBP Checkpoint	13									13
DHS Law Enforcement Activity	6	1			1					8
Immigration Detention		1			32					33
Political Demonstration/Rally		2								2
Unaccompanied Minor	5				1					6



**Table 4 continued, Investigations closed Q3 and Q4 2023 (as of September 30, 2023)**

<b>Total by Issue</b>	<b>Agency</b>									
	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
<b>Subtotal by Situation</b>										
<b>First Amendment (free speech/association)</b>		4	1		4					9
DHS Law Enforcement Activity		1								1
Federal Government Building or Area		2	1							3
Immigration Benefit Application Processing					1					1
Immigration Detention					3					3
Political Demonstration/Rally		1								1
<b>Fourth Amendment (search and seizure)</b>	6	2			4					12
CBP OFO Port of Entry or USBP Checkpoint	4	1								5
DHS Law Enforcement Activity					4					4
Federal Government Building or Area		1								1
Unaccompanied Minor	1									1
Watchlist/Aviation Security List	1									1
<b>Human rights</b>	8	2			1		1			12
CBP OFO Port of Entry or USBP Checkpoint	1									1
DHS Law Enforcement Activity	1									1
DHS Program or Initiative	4	2								6
Immigration Detention	1				1		1			3
Unaccompanied Minor	1									1
<b>Inappropriate questioning/inspection conditions (non-TSA)</b>	2									2
CBP OFO Port of Entry or USBP Checkpoint	2									2
<b>Inappropriate touch/search of person (non-TSA)</b>	2				1					3
CBP OFO Port of Entry or USBP Checkpoint	1									1
Immigration Detention					1					1
Unaccompanied Minor	1									1
<b>Intimidation/threat/improper coercion</b>	1				2					3
CBP OFO Port of Entry or USBP Checkpoint	1									1
Immigration Detention					2					2
<b>Language access (limited English proficiency)</b>	2	3	1		7			5		18
CBP OFO Port of Entry or USBP Checkpoint	2									2
Federal Government Building or Area			1		1					2
Immigration Benefit Application Processing								3		3
Immigration Detention		2			6					8
Protection Screening		1						2		3

**Table 4 continued, Investigations closed Q3 and Q4 2023 (as of September 30, 2023)**

<b>Total by Issue</b>	<b>Agency</b>									
	<b>CBP</b>	<b>DHS</b>	<b>DHS HQ</b>	<b>FEMA</b>	<b>ICE</b>	<b>TSA</b>	<b>USCG</b>	<b>USCIS</b>	<b>USSS</b>	<b>Total</b>
<b>Subtotal by Situation</b>										
<b>Legal access</b>		<b>1</b>			<b>10</b>					<b>11</b>
Immigration Detention		1			10					11
<b>Medical/mental health care</b>	<b>20</b>	<b>4</b>			<b>398</b>					<b>422</b>
CBP Detention	9									9
CBP OFO Port of Entry or USBP Checkpoint	4	1								5
DHS Law Enforcement Activity	2									2
DHS Program or Initiative	3									3
Immigration Detention		3			398					401
Unaccompanied Minor	2									2
<b>Privacy</b>	<b>4</b>				<b>5</b>	<b>1</b>		<b>1</b>		<b>11</b>
CBP OFO Port of Entry or USBP Checkpoint	1									1
DHS Law Enforcement Activity					3					3
DHS Program or Initiative	1									1
DHS Public Messaging/Website	2									2
DHS Supported Activity					1					1
Immigration Benefit Application Processing								1		1
Immigration Detention					1					1
Screening (non-watchlist)						1				1
<b>Religious accommodation</b>	<b>1</b>				<b>7</b>					<b>8</b>
CBP OFO Port of Entry or USBP Checkpoint	1									1
Immigration Detention					7					7
<b>Retaliation</b>					<b>8</b>					<b>8</b>
Immigration Detention					7					7
Political Demonstration/Rally					1					1
<b>Sexual abuse or assault</b>	<b>6</b>				<b>26</b>					<b>32</b>
CBP Detention	1									1
CBP OFO Port of Entry or USBP Checkpoint	5									5
Immigration Detention					26					26
<b>TSA AIT and TSA pat-downs</b>						<b>1</b>				<b>1</b>
Screening (non-watchlist)						1				1
<b>Grand Total</b>	<b>213</b>	<b>33</b>	<b>2</b>	<b>3</b>	<b>672</b>	<b>3</b>	<b>1</b>	<b>24</b>	<b>1</b>	<b>952</b>

### III. Appendix: Acronyms

AIT	TSA Advanced Imaging Technology
CBP	U.S. Customs and Border Protection
CRCL	DHS Office for Civil Rights and Civil Liberties
DHS	U.S. Department of Homeland Security
FEMA	Federal Emergency Management Agency
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
OFO	CBP Office of Field Operations
OIG	DHS Office of Inspector General
ROI	Reports of Investigation
TSA	Transportation Security Administration
USBP	U.S. Border Patrol
USCG	U.S. Coast Guard
USCIS	U.S. Citizenship and Immigration Services
USSS	U.S. Secret Service