



Office for Civil Rights and Civil Liberties

Summary of CRCL's Recommendations and ICE's Response *ICE Health Service Corps Medical/Mental Health Care and Oversight Part II*

On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) responded to a *Recommendation Memorandum* issued in April 2021 by the Office for Civil Rights and Civil Liberties (CRCL) about the medical and mental health care provided by ICE Health Service Corps (IHSC) at IHSC-staffed detention facilities and IHSC's oversight of detainee medical and mental health care at all ICE detention facilities. ICE concurred with ten recommendations, partially concurred with four, and non-concurred with one.

Background

Between June 2018 and October 2018, CRCL opened 17 complaints alleging that IHSC provided inadequate medical care, mental health care, and insufficient oversight at ICE facilities. Specifically, the allegations raised concerns of forcible medication injections, misdiagnoses, medication errors, deaths of noncitizens, lack of psychiatric care, and inadequate substance abuse treatment.

Investigation

CRCL reviewed medical records of 17 noncitizens who allegedly received inadequate treatment for serious health conditions at IHSC-staffed facilities. CRCL also reviewed IHSC's policies, procedures, and operations. CRCL found concerns with staff not timely managing a patient's supervised withdrawal and staff not paying attention to factors indicating the need for higher level care. CRCL also found systemic concerns related to the use of the "Serious Mental Illness" (SMI) list, including facilities removing noncitizens from the SMI list despite their reporting recent self-harm ideation, exhibiting symptoms of psychotic illness, and continuing to report auditory hallucinations. CRCL also found that forced medications were being used as a first resort or as a primary means to address behavioral concerns for noncitizens with no history of mental health conditions. Related to oversight, CRCL found that IHSC lacks a standard process to share and track Root Cause Analysis and Uniform Corrective Action Plans.

Recommendations

On April 28, 2021, CRCL sent ICE a *Recommendation Memorandum* with 15 recommendations regarding IHSC providing systemically inadequate medical and mental health care and oversight to noncitizens in ICE detention facilities. On October 8, 2021, ICE concurred with ten recommendations, partially concurred with four, and non-concurred with one.

ICE agreed to conduct an analysis to better understand the current utilization and management of the list used to track and maintain noncitizens with significant mental illnesses. ICE also agreed to train staff on suspected substance withdrawal, use of emergency forced medications, and utilizing the subject matter expertise of the mental health team at the facility and headquarters level to provide additional oversight. Further, ICE agreed to utilize a cloud-based repository to document IHSC's data collection process for noncitizen deaths to determine whether corrective measures have achieved sustained and desired results. ICE did not agree to revise IHSC procedures regarding intake screenings.

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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