



Office for Civil Rights and Civil Liberties

Summary of CRCL's Recommendations and ICE's Response Implementation of ICE's Segregation Oversight Program (Part 2)

On May 29, 2024, U.S. Immigration and Customs Enforcement (ICE) responded to a Key Civil Rights Findings and Recommendations Memorandum issued in February 2024 by the Office for Civil Rights and Civil Liberties (CRCL) following a periodic review of the ICE segregation oversight program. ICE concurred with four of CRCL's recommendations, partially concurred with five, and non-concurred with 17.

Background

In May 2020, CRCL initiated a periodic review to evaluate ICE's use and oversight of segregation for detained noncitizens in ICE custody. CRCL examined how ICE Headquarters (HQ) and ICE Enforcement and Removal Operations (ERO) field offices have implemented requirements in ICE Directive 11065.1: Review of the Use of Segregation for ICE Detainees (Segregation Directive). The periodic review included two parts: 1) a Recommendation Memorandum, which was issued in September 2022 and included systemic findings and recommendations, and 2) the Key Civil Rights and Findings Recommendation Memorandum, which focused on specific updates to ICE's detention standards and Segregation Directive.

Investigation

CRCL reviewed hundreds of documents and segregation placement records, including policies, procedures, trainings, data from ICE's Segregation Review Management System, detention records, and inspection reports from other DHS oversight agencies. From September 2020 to January 2021, CRCL conducted nine interviews with personnel from ERO, including ICE Health Service Corps, and ICE's field offices. CRCL found that additional documentation, reporting, review, and training requirements were needed to fully implement existing requirements in ICE's segregation policies and to fully implement the Segregation Directive, which requires ICE to carefully consider alternatives to segregation.

Recommendations

On February 5, 2024, CRCL sent ICE a Key Civil Rights Findings and Recommendations Memorandum with 26 recommendations regarding ICE oversight of segregation placements. On May 29, 2024, ICE concurred with four recommendations, partially concurred with five, and non-concurred with 17.

ICE agreed to require facilities to report all privileges that are restricted when an individual is placed in segregation and to document notes from weekly multidisciplinary committee meetings where each segregation placement is discussed by relevant staff at the facility. ICE also agreed to develop additional guidance and training on the existing requirement from the Segregation Directive that ICE must conduct individualized assessments of segregation placements.

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 Key Civil Rights Findings and Recommendations Memorandum on our [website](#) that will contain additional information about the complaint investigation and CRCL's findings and recommendations.