1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and Border Protection

Released via FOIAonline account.

May 29, 2020 CBP-2019-045703

Austin Evers
American Oversight
1030 15th Street NW Suite B255
Washington, DC 20005

Dear Mr. Evers:

In response to *American Oversight v. Department of Homeland Security et al.*, Case No. 19-cv-01901-EGS, this is the second interim response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP), on behalf of American Oversight, in which you are seeking emails, policy, directives, and training provided to Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) in regard to the processing of, medical evaluation and care for, and safety measures to be taken, for pregnant and juvenile detainees.

A search of CBP databases has identified records responsive to your request, 52 pages of which are now being produced**.**

CBP has determined that 52 pages of the records are partially releasable, pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(C) and (b)(7)(E).

Exemption definitions can be found at the following link https://www.cbp.gov/sites/default/files/assets/documents/2019-Dec/definitions-exemptions-foia_0.pdf .

This completes CBP's second interim response to this request. If you have questions or concerns regarding this interim response, you may contact Assistant United States Attorney Diana V. Valdiva at diana.valdivia@usdoj.gov, or phone number (202) 252-2545.

AMERICAN OVERSIGHT

Please notate file number CBP-2019-045703 on any future correspondence to CBP related to this request.

Sincerely,

FOIA Division
U.S. Customs and Border Protection

AMERICAN OVERSIGHT

MEMORANDUM FOR: Directors, Field Operations
Office of Field Operations

Director, Field Operations Academy
Office of Training and Development

FROM: Todd A. Hoffman
Executive Director
Admissibility and Passenger Programs
Office of Field Operations

SUBJECT: Implementing the Medical Screening Questionnaire at Ports of Entry

On January 28, 2019, U.S. Customs and Border Protection (CBP) issued the Interim Enhanced Medical Efforts Directive (#2210-003). CBP is responsible for the care of all individuals during secondary inspection.

As part of the implementation of the CBP Interim Enhanced Medical Efforts directive inadmissible, applicants for admission must be screened for medical issues. The medical screening will be completed upon intake of the inadmissible applicant for admission into the secure area of Passport Control Secondary for processing.

At ports with contracted medical professionals, those professionals will utilize the Medical Screening Questionnaire (CBP Form 2500) to obtain basic medical information on the inadmissible applicant for admission. At those ports without contracted medical support, CBP officers will continue to use the Transport, Escort, Detention and Search Detainee Assessment to identify medical issues. CBP Form 2500 is a tool to assist in the identification of possible medical conditions for inadmissible applicants for admission; and does not substitute for diagnosis and treatment by a medical professional. If at any time an inadmissible alien requires immediate medical attention, CBP must obtain medical treatment in the most expeditious means.

Please ensure that this memorandum is disseminated to all ports of entry within your jurisdiction. Should you have any questions or require additional information, please contact (b)(6);(b)(7)(C) Director, Enforcement Programs Division (EPD) (b)(6);(b)(7)(C)

~~For Official Use Only~~
~~Law Enforcement Sensitive~~

AMERICAN OVERSIGHT

Muster

Date: Immediate upon receipt

Topic: Use of the CBP Health Interview Form for Inadmissible Applicants for Admission

Headquarters POCs: Enforcement Programs Division (EPD)
(b) (7)(E)

Office: Admissibility and Passenger Programs (APP)

- Recent events have reinforced the need to conduct medical screening of inadmissible applicants for admission to the United States.

- As part of the implementation of the CBP Medical Screening Directive, effective upon deployment of medical professionals to ports of entry, inadmissible applicants for admission must be screened for medical issues by medical professionals. The medical screening will be completed upon intake of the inadmissible applicant for admission into the secure area of Passport Control Secondary for processing.

- Processing Guidelines:
  - Ports with Contracted Medical Support:
    - CBP officers will use the CBP Medical Screening Questionnaire (CBP Form 2500) to obtain basic information.
    - A medical professional (e.g. contracted Nurse Practitioner) will complete the medical screening.
    - CBP officers, who are trained and licenced as Emergency Medical Technicians (EMT), may complete the medical screening in exigent circumstances.
  - Ports without Contracted Medical Support:
    - CBP officers will continue to utilize the Transport, Escort, Detention, and Search (TEDS) "Detainee Assessment" at locations that do not have contract medical support.

- The CBP Form 2500 is a tool to assist in the identification of possible medical conditions for inadmissible applicants for admission; and does not substitute for diagnosis and treatment by a medical professional.

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; SANDERS, JOHN P
Cc: BOYD, VALERIE S; (b) (6), (b) (7)(C)
Subject: C1 Daily Debrief 2/25
Date: Monday, February 25, 2019 10:12:04 PM
Attachments: C1 Daily Debrief - 2-25-19.docx
DRAFT Oversight-Deaths in Custody CBP.docx
2019_02_25_RGV_(b) (7)(E) Stillborn_Baby_ICE_Custody.pdf
2019_02_25_RGV_ Bi-National_Arrest.pdf
2019_02_25_SDC_ Non Employee Death (Update).pdf
2019-02-25_EPT_(b) (7)(E) Significant Arrest_Large Group.pdf
2019-02-25_EPT_ FOB Bounds Closure (Legionella).pdf
USM Hiring Update February 2019--HRM Front Office 2.22.2019.pptx
USBP In-Custody Breakdown 2019-02-25-15-00-50.xlsx
FW 02252019 Stats Report and Overview as of 1500.msg
SWB Synch Call Notes 25 Feb 2019.docx

C1 Daily Debrief:

February 25, 2019

TO DO:

- **S1 Zero Tolerance Hearing:** Draft talking points or bullets for S1.
- **Oversight Hearing Testimony- Draft Opening Statement:**
  - The testimony for the Commissioner's Senate Judiciary hearing is **attached**. We will have an opportunity to make changes after it comes out of the interagency review process. – (b) (6), (b) (7)(C)
  - You mentioned wanting to draft your own opening statement. Reminder to work on it as you're able! - M. Peterlin

HOT TOPICS:

- **Reports from the Border:** Attached: BP issue papers regarding large arrests, medical evacuations, a stillborn in ICE custody, and a vehicle crash with fatalities**.** – (b) (6), (b) (7)(C)
- **UCG SWB Security/Humanitarian Crisis Sync:** 0900 UCG call summary **attached.** – M. Peterlin

ONGOING ISSUES:

- **Hiring Update:** HRM Report detailing impacts of the shutdown on hiring is **attached**. – (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
- **BP In-Custody Report:** In-Custody breakdown report from BP **attached** (email and spreadsheet). – (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

U.S. Customs and Border Protection

COMMISSIONER'S DAILY DEBRIEF

25 February 2019

U.S. Customs and Border Protection

TO DO

- **S1 Zero Tolerance Hearing:** Draft talking points or bullets for S1.
- **Oversight Hearing Testimony:** The testimony for the Commissioner's Senate Judiciary hearing is **attached**. We will have an opportunity to make changes after it comes out of the interagency review process. – (b)(6);(b)(7)(C)

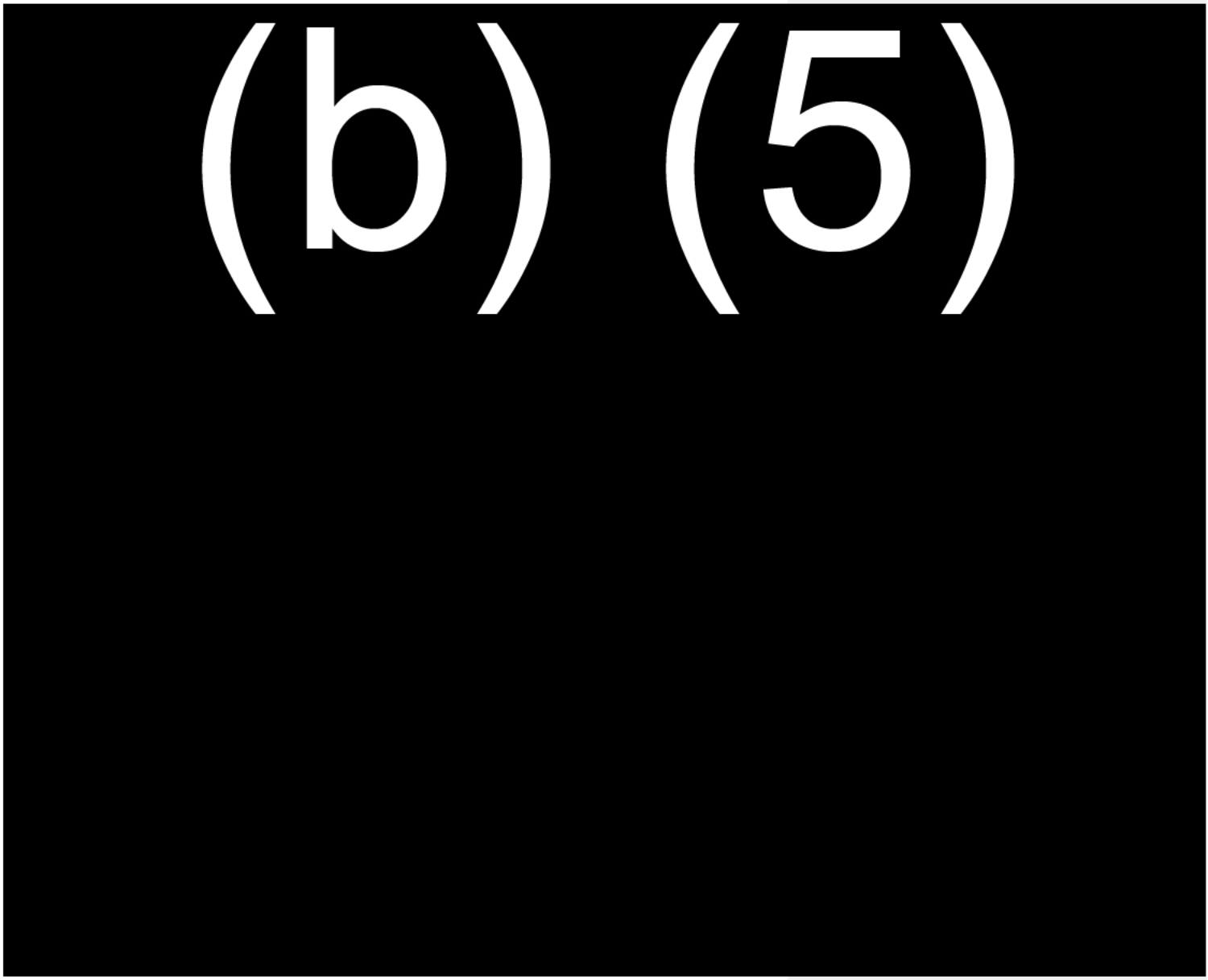
HOT TOPICS

- **Reports from the Border:** BP issue reports regarding large arrests, medical evacuations, a stillborn in ICE custody and a deadly vehicle crash are **attached.** –(b)(6);(b)(7)(C)
- **SWB Security/Humanitarian Crisis Sync:** Call summary **attached.** – M. Peterlin

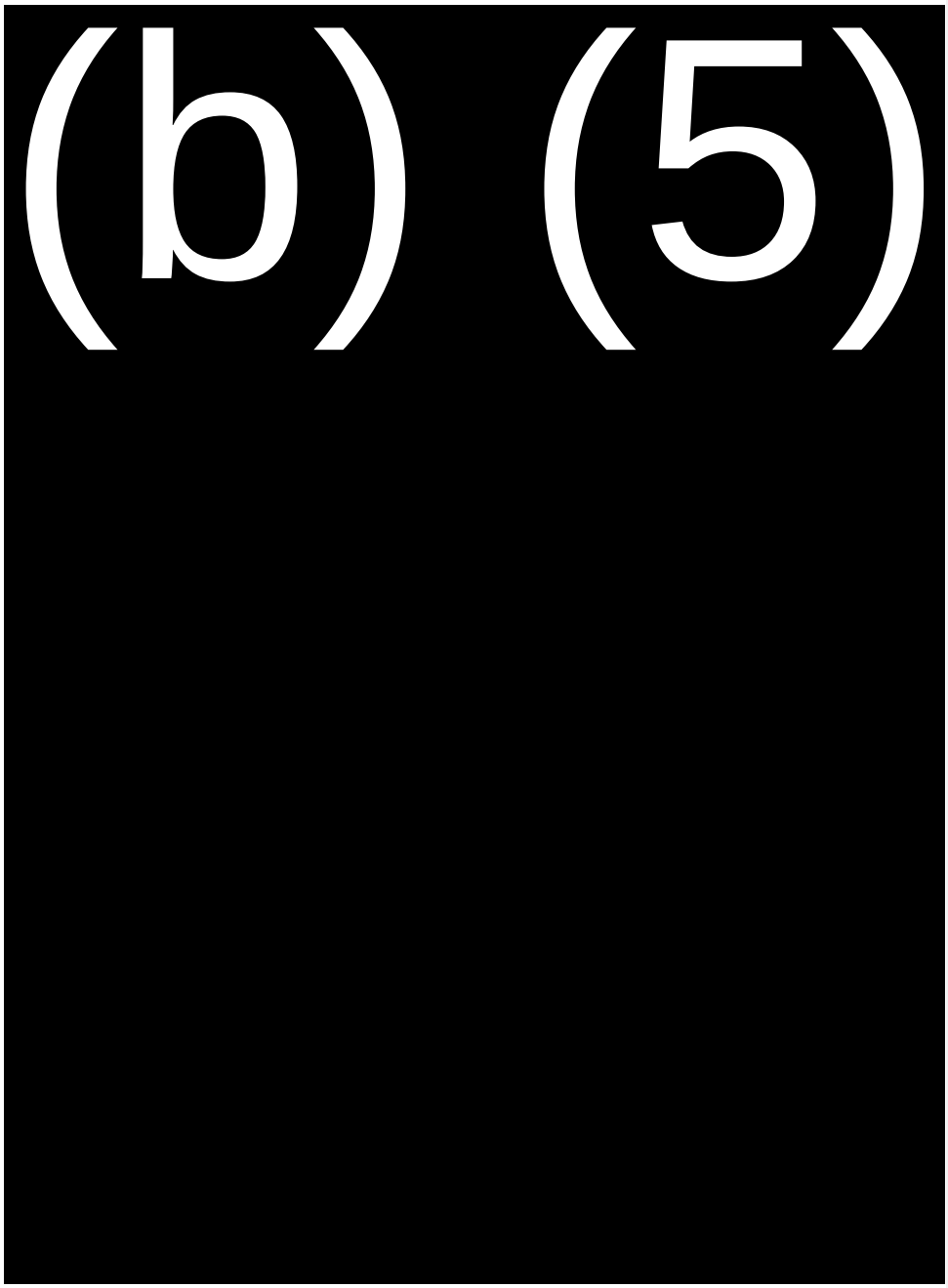
ONGOING ISSUES

- **Hiring Update:** HRM Report detailing impacts of the shutdown on hiring. (b)(6);(b)(7)(C)
- **BP In-Custody:** In-Custody breakdown report **attached**. – (b)(6);(b)(7)(C)

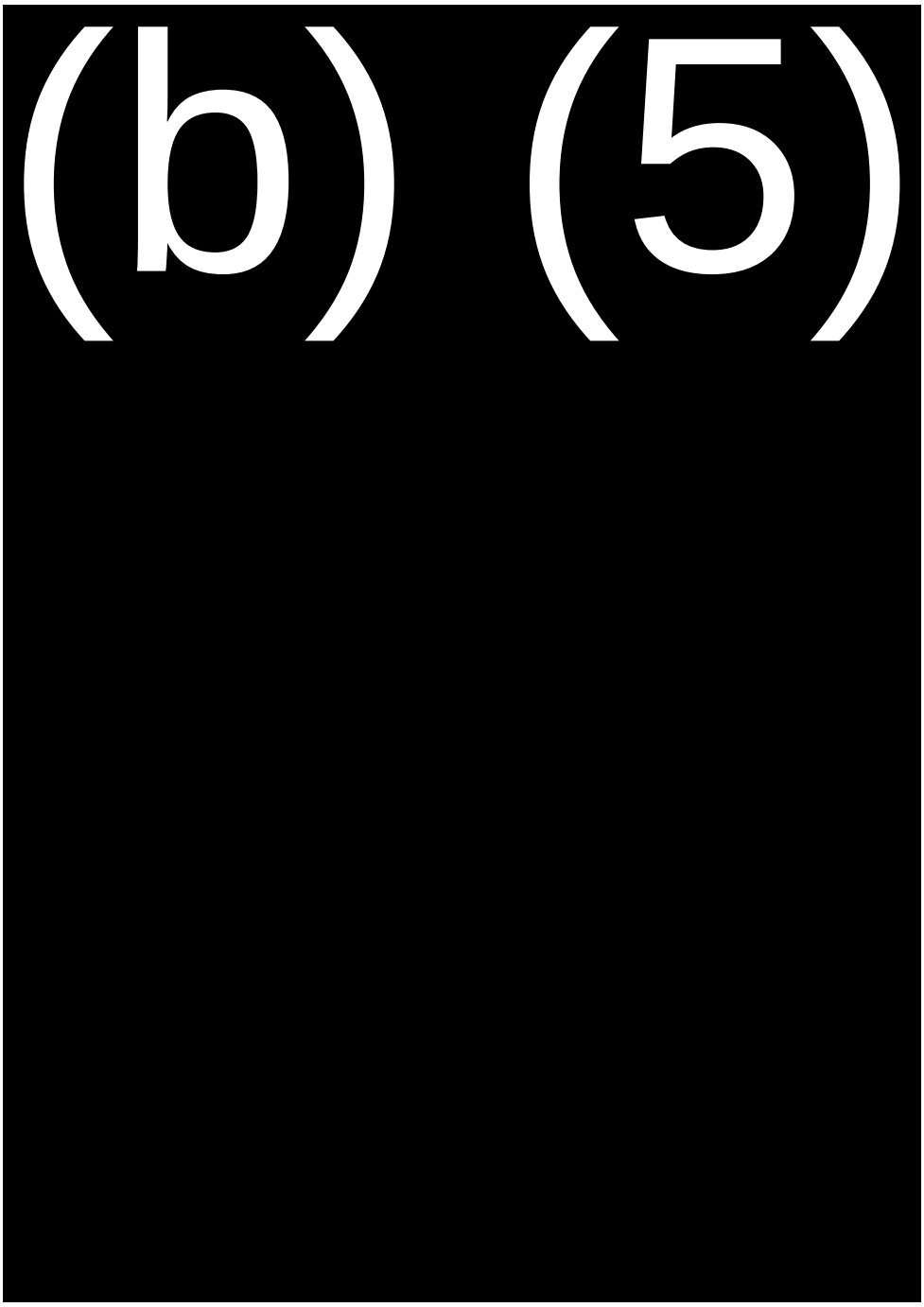
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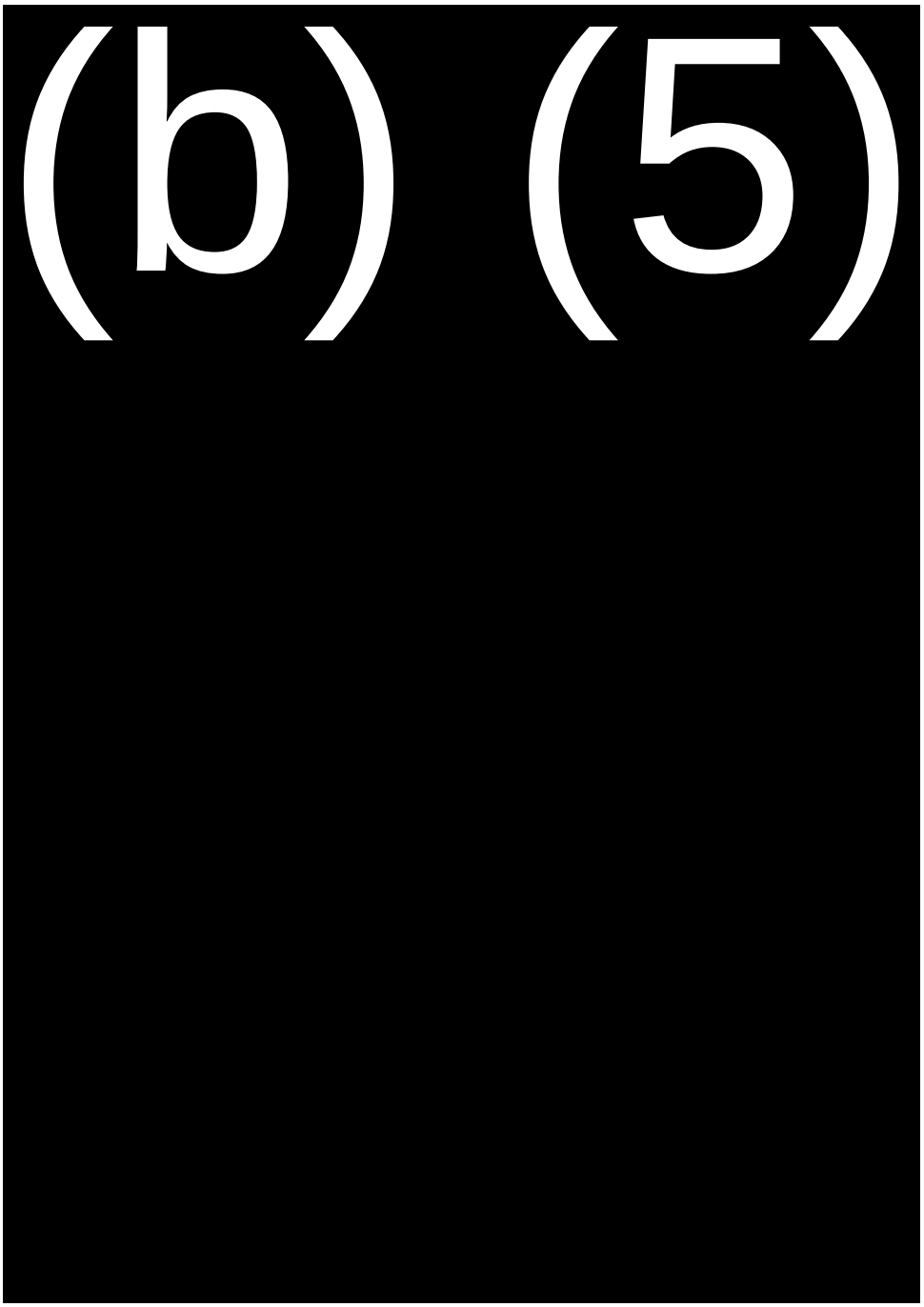
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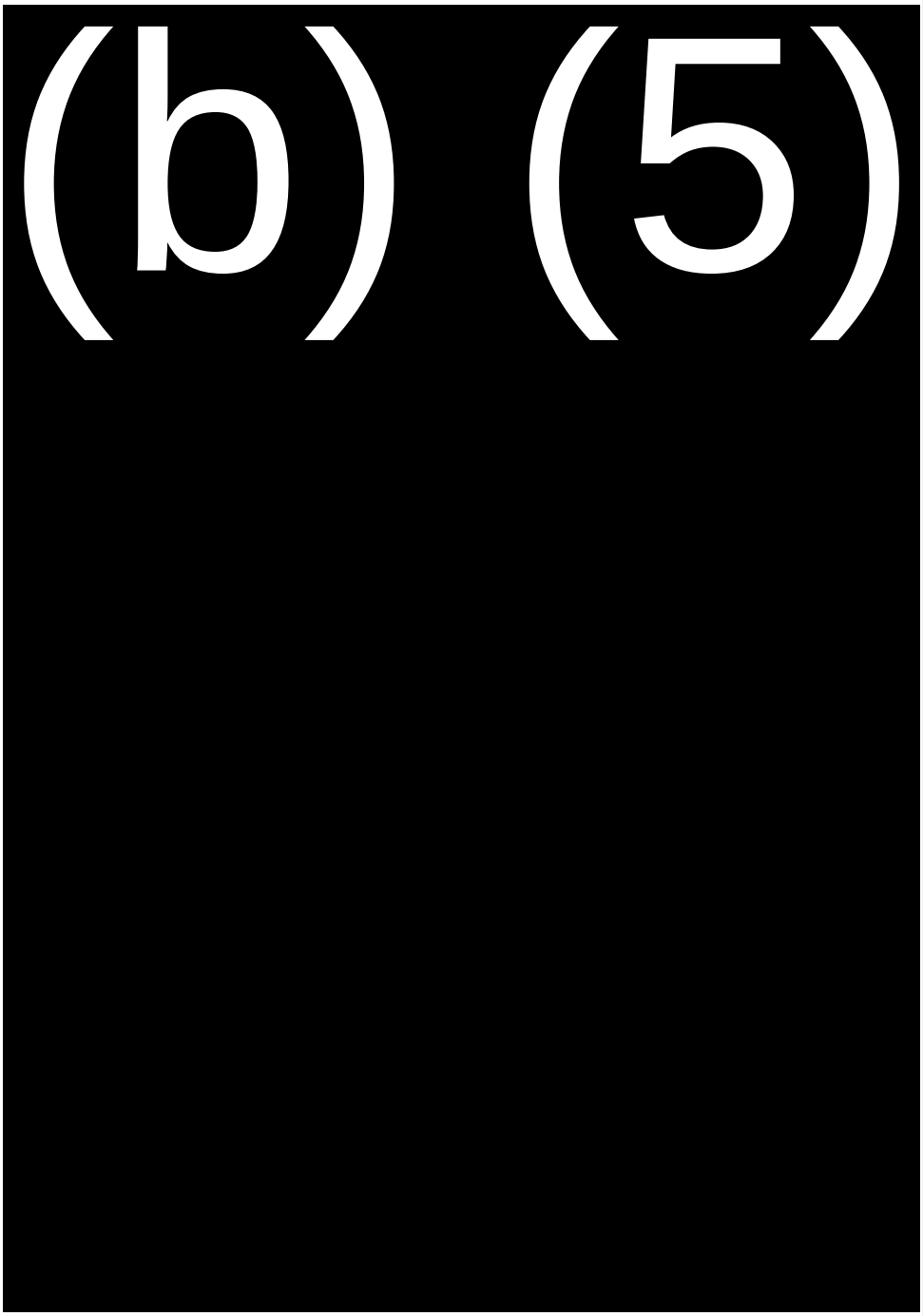
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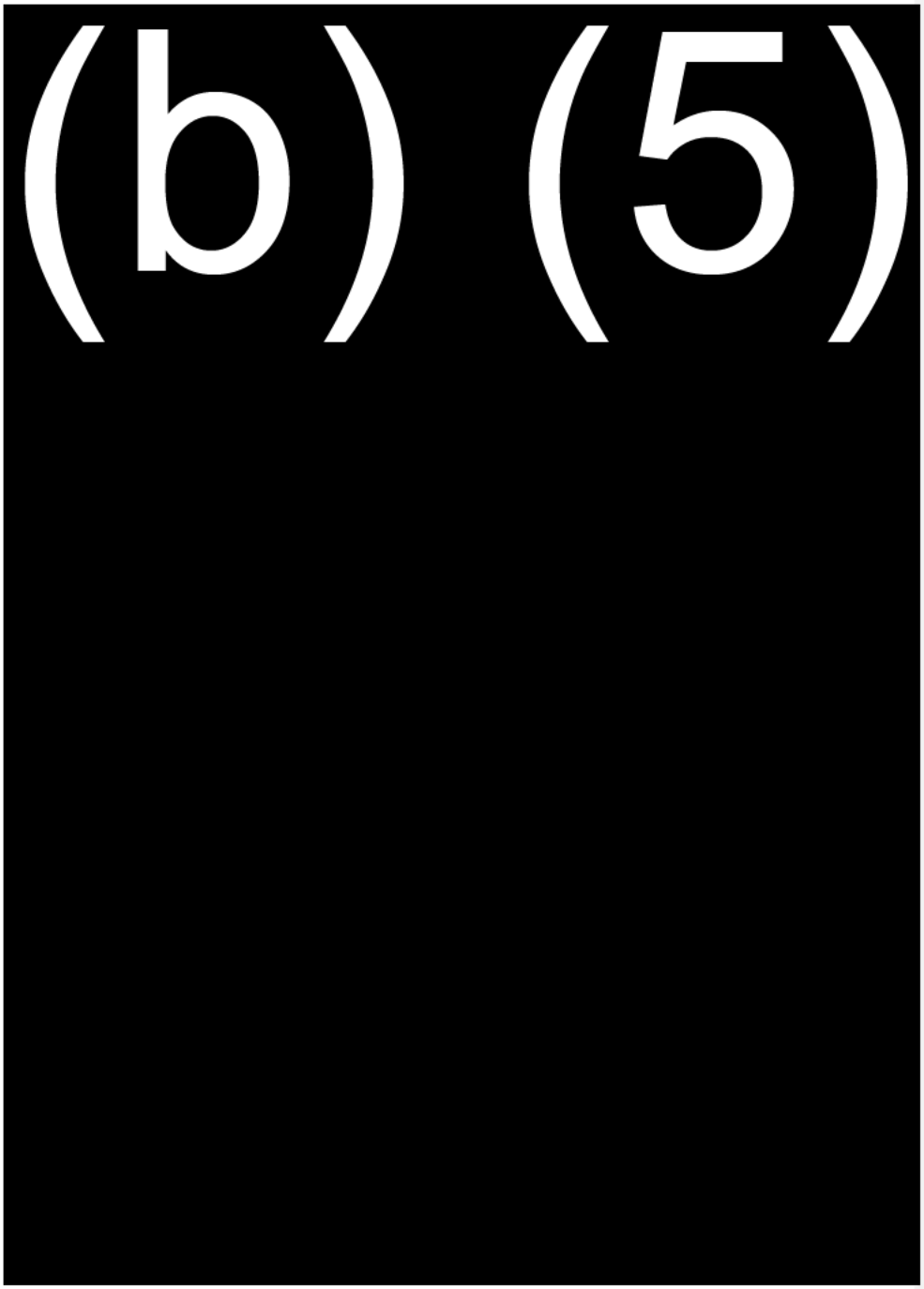
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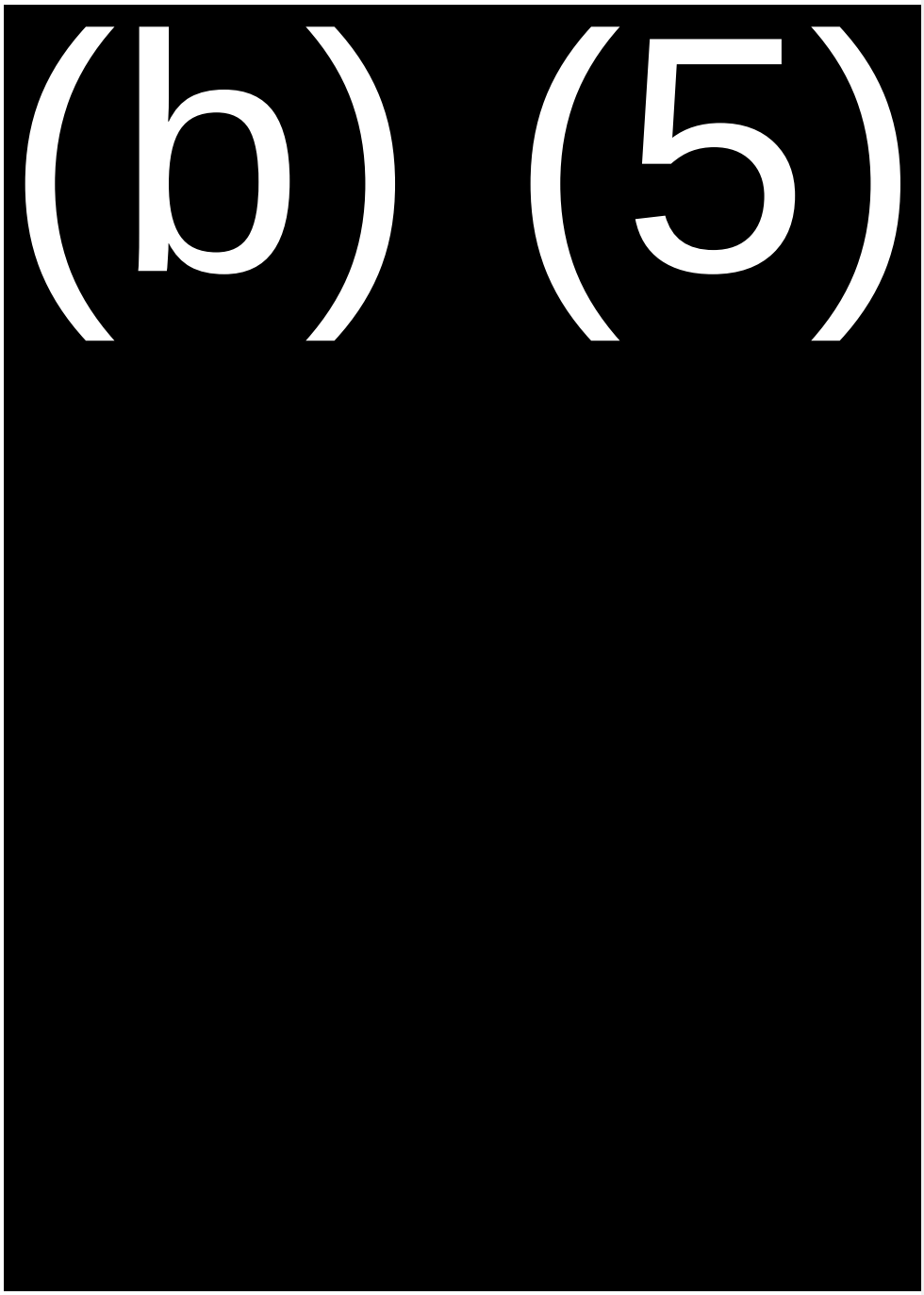
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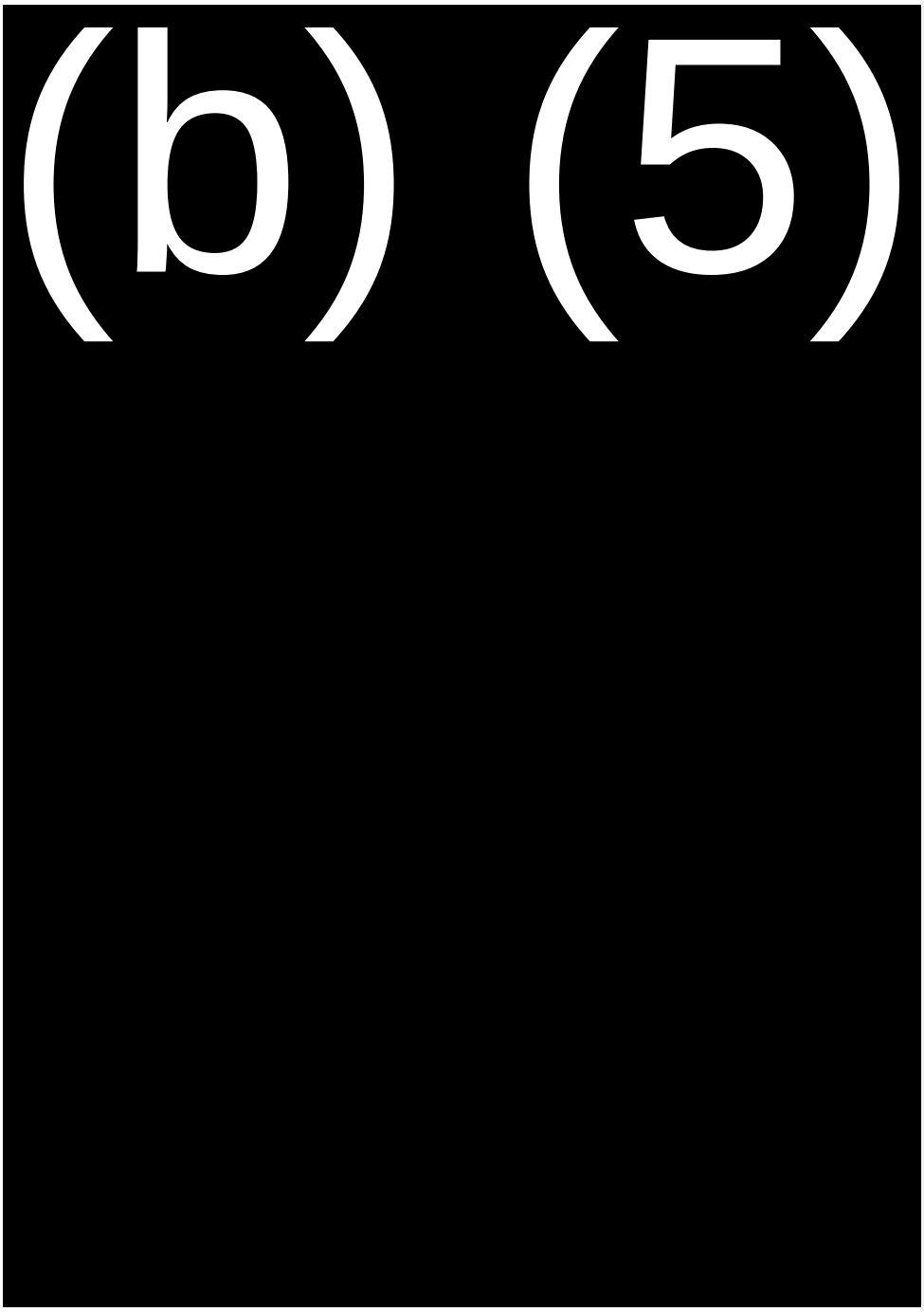
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United States Border Patrol
Stillborn Baby (ICE Custody)
Rio Grande Valley Sector–(b) (7)(E) Station –02/25/2019

ISSUE / BRIEFING TOPIC:

On February 18, 2019, at approximately 11:45 P.M., (b) (6), (b) (7)(C) was apprehended by agents of the (b) (7)(E) Station (b) (7)(E) in Rio Grande Valley Sector (RGV). On February 19, 2019 the subject was transported to the (b) (7)(E) for processing. The subject arrived and was booked in at 5:01 A.M. and answered questions for an initial medical screening (contagious diseases, injuries).

CURRENT SITUATION:

- Subject is in ICE custody.

BACKGROUND:

- February 20, 2019
- The subject received a preliminary medical screening, vetting, intake processing and full processing. Processing was completed at 4:35 P.M.
- February 21, 2019
- 02/21/2019, 5:49 A.M., (b) (6), (b) (7)(C), was transported to the RGV CPC for continued detention.
- 02/21/2019, 4:41 P.M., (b) (6), (b) (7)(C) complained about pain to her stomach and was evaluated by CPC medical staff. It was determined that the subject was 24 weeks pregnant and (b) (6), (b) (7)(C) .
- 02/21/2019, 5:33 P.M., (b) (6), (b) (7)(C), was transported to McAllen Medical Center for evaluation. The subject was cleared for detention and travel.
- 02/21/2019, 9:24 P.M., (b) (6), (b) (7)(C), was released from the hospital and transported back to RGV CPC.
- February 22, 2019
- 02/22/2019, 3:07 P.M., (b) (6), (b) (7)(C) was permanently booked out of RGV CPC and turned over to ERO.
- (b) (7)(E)

(b) (7)(E)

Subject Information:

Name: (b) (6), (b) (7)(C)
DOB: (b) (6), (b) (7)(C)
COC: Honduras
A#: (b) (6), (b) (7)(C)
Date of Apprehension: 02/18/2019, 11:45 PM, RGV/ (b) (7)(E)

AMERICAN OVERSIGHT
FOR OFFICIAL USE ONLY
FOIA CBP 000653
U.S. Customs and Border Protection

From: (b)(6);(b)(7)(C) on behalf of USBP CRITICAL REPORTING CELL
To: BOYD, VALERIE S; (b)(6);(b)(7)(C) ; HASTINGS, BRIAN S; HUDSON, RICHARD M; LUCK, SCOTT A (USBP); PETERLIN, MEGHANN K; PROVOST, CARLA (USBP); (b)(6);(b)(7)(C)
Cc: OPS WEST SECTORS
Subject: Closeout: YUM (b)(7)(E) ier I Other- Pregnancy (b)(6);(b)(7)(C)
Date: Saturday, March 2, 2019 6:54:33 AM

CoS, DCoS, SA,

YRMC medical staff has determined that this is a high risk pregnancy for (b) (6), (b) (7)(C)

Due to the high risk pregnancy, a Humanitarian OR was approved. (b) (6), (b) (7)(C) was served with a NTA/OR at the Yuma Regional Medical Center. Arrangements were made with (b) (6), (b) (7)(C) to assist (b) (6), (b) (7)(C) once she is released from the hospital.

From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Friday, March 1, 2019 10:06 AM
To: BOYD, VALERIE S (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C) HUDSON, RICHARD M (b)(6);(b)(7)(C) >; LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) PETERLIN, MEGHANN K (b)(6);(b)(7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
Subject: (Initial + Update) YUM/(b)(7)(E) Tier I Other- Pregnancy (b)(6);(b)(7)(C)

CoS, DCoS, SA;

Yuma Sector reports that on February 28, 2019, (b) (6), (b) (7)(C) was referred for a medical evaluation due to being 8 months pregnant. Subject was transported to Yuma Regional Medical Center (YRMC) for medical evaluation of pregnancy and was subsequently admitted for observation.

Update:

03/01/2019; 0545 Hours: (b)(6);(b)(7)(C)

SUBJECT'S INFORMATION:

(b)(6);(b)(7)(C)

E3 Event# (b) (7)(E), (b)(6);(b)(7)(C)

Updates to follow.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C) on behalf of USBP CRITICAL REPORTING CELL
To: BOYD, VALERIE S; (b)(6);(b)(7)(C) HASTINGS, BRIAN S; HUDSON, RICHARD M; LUCK, SCOTT A (USBP); MEEHAN, ANDREW C; PETERLIN, MEGHANN K; PROVOST, CARLA (USBP); (b)(6);(b)(7)(C)
Cc: OPS WEST SECTORS
Subject: FW: (Closeout) ELC/(b)(7)(E) Tier I High Risk Pregnancy, (b)(6);(b)(7)(C)
Date: Tuesday, March 19, 2019 12:17:14 PM

CoS, DCoS, SA,

El Centro Sector reports the subject gave birth to a baby girl (6lbs-14oz). Subject and baby are doing well.

No further updates expected.

V/R,
CRC Staff

From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Monday, March 18, 2019 3:21 PM
To: BOYD, VALERIE S (b)(6);(b)(7)(C)
HUDSON, RICHARD M (b)(6);(b)(7)(C) LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) ; MEEHAN, ANDREW C (b)(6);(b)(7)(C) PETERLIN, MEGHANN K (b)(6);(b)(7)(C) >; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
Cc: OPS WEST SECTORS (b) (7)(E)
Subject: (Initial Notification) ELC/(b)(7)(E) Tier I High Risk Pregnancy, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

CoS, DCoS, SA,

El Centro Sector reports that on March 17, 2019, HHS Medical Personnel examined a detainee and recommended further medical evaluation due to the fact she was pregnant. At the hospital, she was classified as a high risk pregnancy. (b) (6), (b) (7)(C) She is under observation, resting and eating well.

-

Subject Information:

Name: (b)(6);(b)(7)(C)
DOB:
AGE:
COC:

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)

Updates to follow.

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; SANDERS, JOHN P
Cc: BOYD, VALERIE S; (b)(6);(b)(7)(C)
Subject: FW: (Closeout) ELC/(b)(7)(E) Tier I High Risk Pregnancy (b)(6);(b)(7)(C)
Date: Tuesday, March 19, 2019 1:13:18 PM

Sirs- the high risk pregnancy from yesterday. Baby girl born and a positive report from El Centro Sector.

From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Tuesday, March 19, 2019 1:17 PM
To: BOYD, VALERIE S (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C) HUDSON, RICHARD M (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) MEEHAN, ANDREW C (b)(6);(b)(7)(C); PETERLIN, MEGHANN K (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) >
Cc: OPS WEST SECTORS (b) (7)(E)
Subject: FW: (Closeout) ELC/(b) (7)(E) Tier I High Risk Pregnancy, (b) (6), (b) (7)(C)

CoS, DCoS, SA,

El Centro Sector reports the subject gave birth to a baby girl (6lbs-14oz). Subject and baby are doing well.

No further updates expected.

V/R,
CRC Staff

From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Monday, March 18, 2019 3:21 PM
To: BOYD, VALERIE S (b)(6);(b)(7)(C); HASTINGS, BRIAN S (b)(6);(b)(7)(C); HUDSON, RICHARD M < (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C); MEEHAN, ANDREW C < (b)(6);(b)(7)(C) PETERLIN, MEGHANN K < (b)(6);(b)(7)(C) >; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Cc: OPS WEST SECTORS [redacted]
Subject: (Initial Notification) ELC [redacted] Tier I High Risk Pregnancy, [redacted]

CoS, DCoS, SA,

El Centro Sector reports that on March 17, 2019, HHS Medical Personnel examined a detainee and recommended further medical evaluation due to the fact she was pregnant. At the hospital, she was classified as a high risk pregnancy. [redacted] She is under observation, resting and eating well.

-

Subject Information:

[redacted]

Updates to follow.

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; SANDERS, JOHN P
Cc: BOYD, VALERIE S; (b)(6);(b)(7)(C)
Subject: FW: (Initial Notification) ELC (b)(7)(E) Tier I High Risk Pregnancy, (b) (6), (b) (7)(C)
Date: Monday, March 18, 2019 2:22:42 PM

Sirs- high risk pregnancy notification below.

From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Monday, March 18, 2019 3:21 PM
To: BOYD, VALERIE S (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C); HUDSON, RICHARD M (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C); MEEHAN, ANDREW C (b)(6);(b)(7)(C); PETERLIN, MEGHANN K (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
Cc: OPS WEST SECTORS (b) (7)(E)
Subject: (Initial Notification) ELC/(b)(7)(E) Tier I High Risk Pregnancy, (b)(6);(b)(7)(C)

CoS, DCoS, SA,

El Centro Sector reports that on March 17, 2019, HHS Medical Personnel examined a detainee and recommended further medical evaluation due to the fact she was pregnant. At the hospital, she was classified as a high risk pregnancy. (b) (6), (b) (7)(C) . She is under observation, resting and eating well.

-

Subject Information:

(b)(6);(b)(7)(C)

Updates to follow.

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; SANDERS, JOHN P
Cc: BOYD, VALERIE S; (b)(6);(b)(7)(C)
Subject: Fwd: Closeout: YUM (b)(7)(E) Tier I Other- Pregnancy (b)(6);(b)(7)(C)
Date: Saturday, March 2, 2019 8:16:52 AM

Sirs- for awareness.

Begin forwarded message:

From: USBP CRITICAL REPORTING CELL
(b) (7)(E)
Date: March 2, 2019 at 7:54:28 AM EST
To: "BOYD, VALERIE S" (b)(6);(b)(7)(C)
, "HASTINGS, BRIAN S" < (b)(6);(b)(7)(C) , "HUDSON, RICHARD M" (b)(6);(b)(7)(C) >, "LUCK, SCOTT A (USBP)" (b)(6);(b)(7)(C) >, "PETERLIN, MEGHANN K" (b)(6);(b)(7)(C) >, "PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C)
Cc: OPS WEST SECTORS < (b) (7)(E)
Subject: Closeout: YUM/(b) (7)(E) Tier I Other- Pregnancy (b)(6);(b)(7)(C)

CoS, DCoS, SA,

YRMC medical staff has determined that this is a high risk pregnancy for (b) (6), (b) (7)(C)

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From: (b)(6);(b)(7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Friday, March 1, 2019 10:06 AM
To: BOYD, VALERIE S (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C) HUDSON, RICHARD M (b)(6);(b)(7)(C) ; LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) PETERLIN, MEGHANN K (b)(6);(b)(7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

<[redacted]>

Subject: (Initial + Update) YUM/[redacted] Tier I Other- Pregnancy [redacted]

CoS, DCoS, SA;

Yuma Sector reports that on February 28, 2019, [redacted] was referred for a medical evaluation due to being 8 months pregnant. Subject was transported to Yuma Regional Medical Center (YRMC) for medical evaluation of pregnancy and was subsequently admitted for observation.

Update:

03/01/2019; 0545 Hours: [redacted]

SUBJECT'S INFORMATION:
[redacted]

E3 Event# [redacted]

Updates to follow.

AMERICAN OVERSIGHT

From: PROVOST, CARLA (USBP)
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; Owen, Todd C (AC OFO); PETERLIN, MEGHANN K; BOYD, VALERIE S
Cc: LUCK, SCOTT A (USBP); HASTINGS, BRIAN S
Subject: Fwd: Hospital Watch Reccomendation
Date: Friday, April 5, 2019 4:23:12 PM
Attachments: Hosp Watch.pdf
ATT00001.htm

Commissioner,

Please see below and attached recommendation. We collaborated with OFO. I am happy to discuss at your convenience.

Respectfully,
Carla

Carla L. Provost
Chief
U. S. Border Patrol
(b)(6);(b)(7)(C)

Begin forwarded message:

From: "HASTINGS, BRIAN S" <(b)(6);(b)(7)(C)
To: "PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C)
Cc: "(b)(6);(b)(7)(C) "HUDSON, RICHARD M" (b)(6);(b)(7)(C)
Subject: Hospital Watch Reccomendation

Chief,

(b) (5)

(b) (5)

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(b) (5) [redacted]

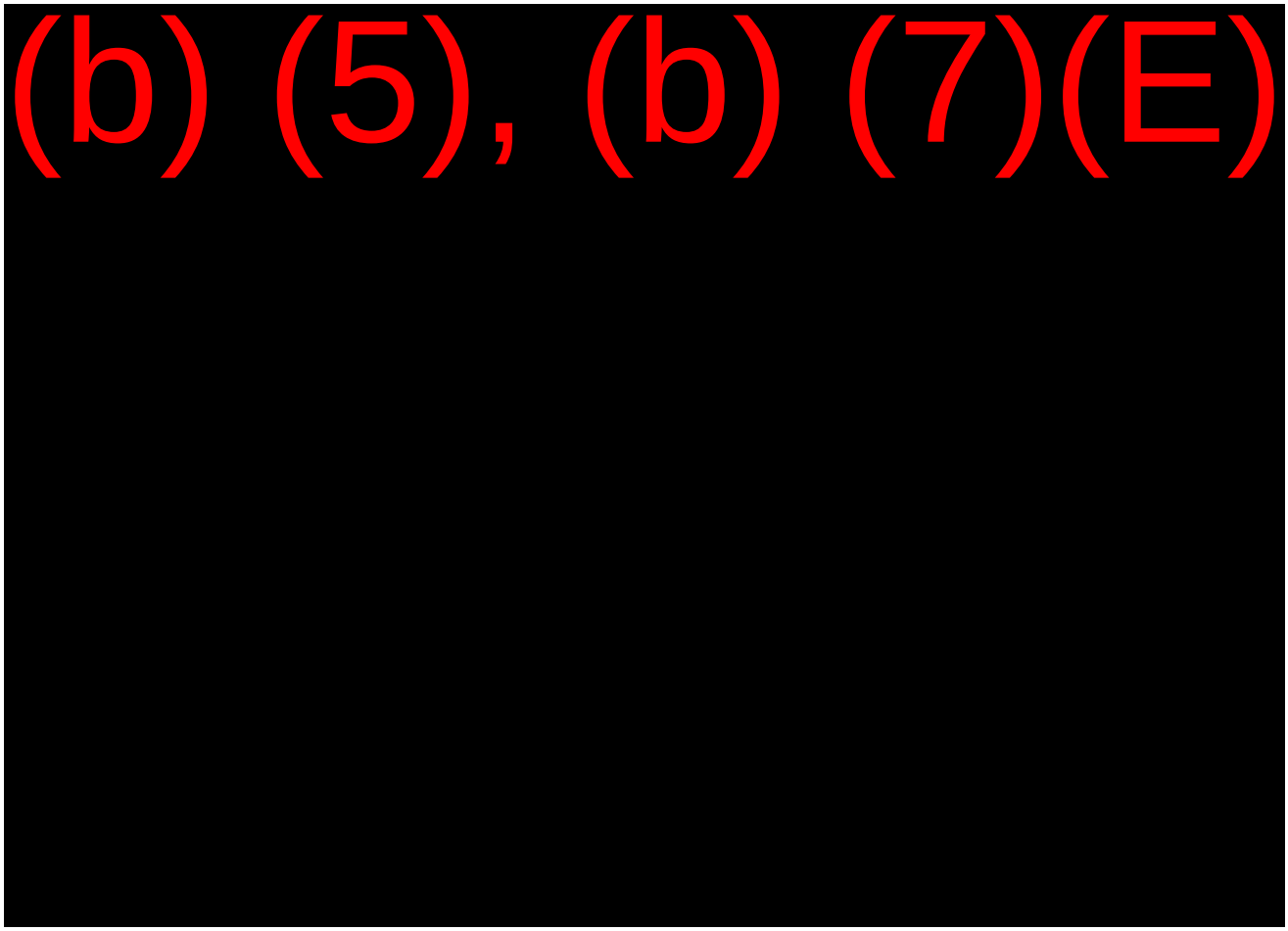
Thanks,
Brian

AMERICAN OVERSIGHT

Operation Requirements – Hospital Watch
April 5, 2019

BRIEFING TOPIC:
USBP hospital watch assignments.

BACKGROUND:
The U.S. Border Patrol (USBP) routinely performs security duties for detainees requiring medical evaluation or treatment at hospitals or other available medical service providers, generally referred to as hospital watch. USBP Sectors and Stations provide staffing guidelines and general requirements for hospital watch performance within their area of responsibility.



- ***2.0 Transport and Escort Standards.***
  - As it pertains to proper searching of vehicles for weapons & contraband;
  - Gender considerations for Pat downs and escort
  - Agents inability to leave detainees unattended at any time;
  - Agents requirement to be alert for signs of Detainee Distress;
  - Vigilance for emergency medical precautions

Created by/ POC: Assistant Chief (b)(6);(b)(7)(C)
Office: LEOD-/Specialty Programs & Planning Branch
Date Prepared: April 5, 2019
Approving Official: Acting Associate Chie (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

- ***3.0 Searches of Individuals***
  - Reinforces proper restraining and searching of detainees;
  - Operationally implies the need a second agent present to assist and serve as a witness if necessary
- ***5.0 At-Risk Populations***
  - Section 5.4 "…Whenever operationally feasible, the transporting of at-risk detainees must be conducted by two officers/agents with at least one officer/agent of the same gender or gender identity as the detainee.
- ***6.0 Sexual Abuse Victimization***
  - Officers/Agents must provide detainees identified under the at-risk determination process in Section 4.2 to be at high risk of sexual abuse victimization, with heightened protection. This includes continuous direct sight and sound supervision…
- ***7.0 Personal Property, section 7.5 Medications***
  - …medication needing to be regularly administered due to need, and/or needing to be properly stored as the prescription requires…

- Two-agent teams are derivatively required by the Consolidated Appropriations Act, 2019, specifically SEC 533:

  - The joint resolution requires that pregnant detainees are not subject to manual restraints, to include while "at an outside medical facility"…without "individualized determination that the women is a serious flight risk… or poses an immediate and serious threat to harm herself or others…"

AMERICAN OVERSIGHT

From: PROVOST, CARLA (USBP)
To: MCALEENAN, KEVIN K; PEREZ, ROBERT E; PETERLIN, MEGHANN K; BOYD, VALERIE S; SANDERS, JOHN P
Cc: HASTINGS, BRIAN S; LUCK, SCOTT A (USBP)
Subject: Fwd: RGV Timeline
Date: Saturday, February 23, 2019 2:43:27 PM
Attachments: Timeline- (b)(6);(b)(7)(C) .docx
ATT00001.htm
Emergency Medical Treatment Report.PDF
ATT00002.htm
MEDPAR.PDF
ATT00003.htm
Hospital Discharge Docs.PDF
ATT00004.htm

FYI

Sent from my iPhone

Begin forwarded message:

From: "(b)(6);(b)(7)(C)" <(b)(6);(b)(7)(C)>
Date: February 23, 2019 at 3:33:51 PM EST
To: "HASTINGS, BRIAN S" <(b)(6);(b)(7)(C)>, "HUDSON, RICHARD M" (b)(6);(b)(7)(C)
"PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C) "LUCK, SCOTT A (USBP)" (b)(6);(b)(7)(C)
Subject: RGV Timeline

Chief, Deputy,

Please see attached for the timeline RGV provided If ICE needs the amenity logs, please let me know and we will PDF it for their use Also, please see attached for the Emergency Treatment Report, MEDPAR and hospital discharge paperwork

Regards,

(b)(6);(b)(7)(C)
Associate Chief
Law Enforcement Operations Directorate - Ops

Begin forwarded message:

From: "PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C)
Date: February 23, 2019 at 2:04:36 PM EST
To: "MCALEENAN, KEVIN K" <(b)(6);(b)(7)(C)>, "PEREZ, ROBERT E" (b)(6);(b)(7)(C), "SANDERS, JOHN P" (b)(6);(b)(7)(C) "PETERLIN, MEGHANN K" (b)(6);(b)(7)(C)>, "BOYD, VALERIE S" (b)(6);(b)(7)(C)
Cc: "LUCK, SCOTT A (USBP)" (b)(6);(b)(7)(C) "HASTINGS, BRIAN S" (b)(6);(b)(7)(C)
Subject: Fwd: Preliminary information - RGV working on rest.

Sir,

See preliminary timeline More to follow

Carla L Provost
Chief - USBP
(w) (b)(6);(b)(7)(C)
(c)

Begin forwarded message:

From: "HASTINGS, BRIAN S" (b)(6);(b)(7)(C)
Date: February 23, 2019 at 2:03:22 PM EST
To: "PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C), "LUCK, SCOTT A (USBP)" (b)(6);(b)(7)(C) "HUDSON, RICHARD M" (b)(6);(b)(7)(C)
Subject: Fwd: Preliminary information - RGV working on rest.

Chief,

Initial info below from Chie (b)(6);(b)(7)(Entire timeline will be completed by 3p m

Thanks,
Brian

Sent from my iPhone

Begin forwarded message:

From: "(b)(6);(b)(7)(C)"
Date: February 23, 2019 at 1:59:57 PM EST
To: "HASTINGS, BRIAN S" (b)(6);(b)(7)(C)>, "HUDSON, RICHARD M"
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Preliminary information - RGV working on rest.

Chief, Deputy,

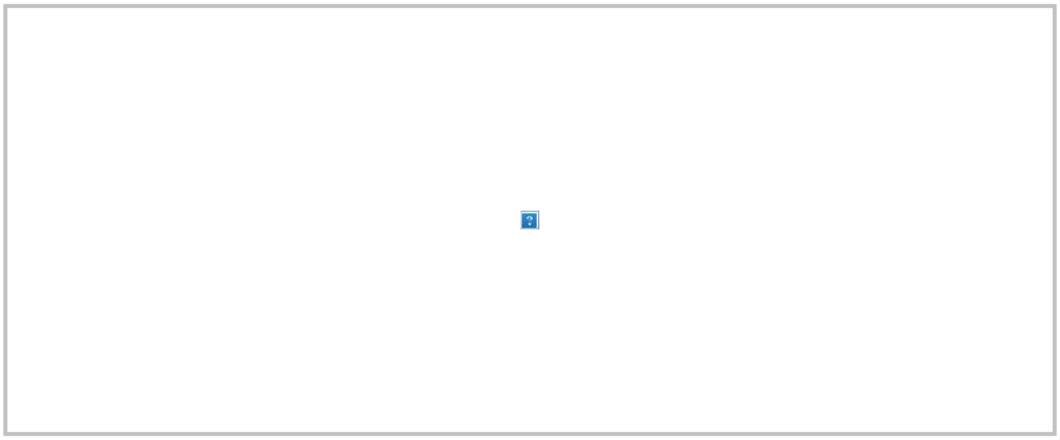
AMERICAN OVERSIGHT

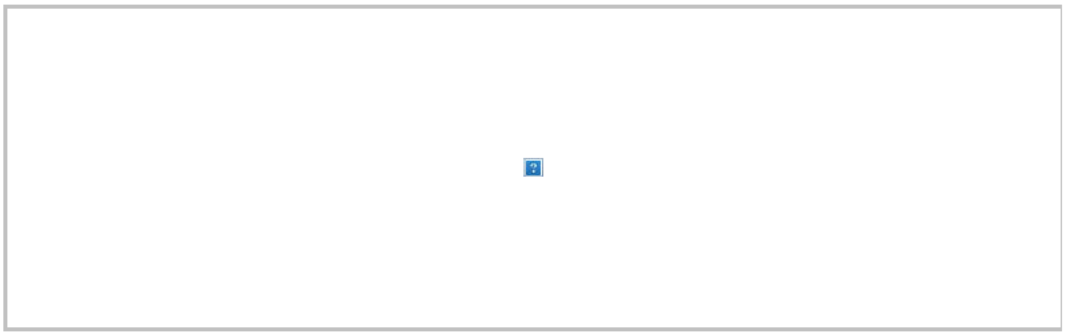
It took us awhile to identify the specific person as she was not admitted – simply referred, examined and released from the hospital The larger document packet will be available with the timeline in the coming hours Here is some preliminary information and screenshots:

Apprehended at [redacted] 2/18, 2345 hours
Process Complete at [redacted] on 2/20, 1635 hours
Transferred to CPC on 2/21, 0934 hours
Hospital visit on 2/21, 1733 hours
Transferred to ICE on 2/22, 1507 hours

This was a single adult female, 24 YOA Served 12 meals and 3 snacks 50 welfare checks completed and 2 med screenings (one at [redacted] and one at CPC) with no referral to medical professionals by LGS during either med screening

So far we have the MEDPAR data, discharge data and screenshots RGV is working on the timeline right now The subject sat for ~46 hours after processing complete You will note that RGV single numbers were high this week and the most troublesome population for ICE movement





Regards,

(b)(6);(b)(7)(C)
Associate Chief
Law Enforcement Operations Directorate - Ops
U S Border Patrol
1300 Pennsylvania Ave, N W
Washington, DC 20229

(b)(6);(b)(7)(C) office
[redacted] ellular

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C) Stillborn Baby)
February 23, 2019

Subject Information:

(b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)
DOB: (b) (6), (b) (7)(C)
COC: Honduras
A#: (b) (6), (b) (7)(C)
Date of Apprehension: 02/18/2019, 11:45 PM, RGV/(b) (7)(E)

Timeline:

On February 18, 2019, at approximately 11:45 P.M., (b) (6), (b) (7)(C) was apprehended by agents of the (b) (7)(E) Station (b) (7)(E) in Rio Grande Valley Sector (RGV). On February 19, 2019 the subject was transported to the (b) (7)(E) for processing. The subject arrived and was booked in at 5:01 A.M. and answered questions for an initial medical screening (contagious diseases, injuries).

February 20, 2019

- February 20, 2019, the subject received a preliminary medical screening, vetting, intake processing and full processing. Processing was completed at 4:35 P.M.

February 21, 2019

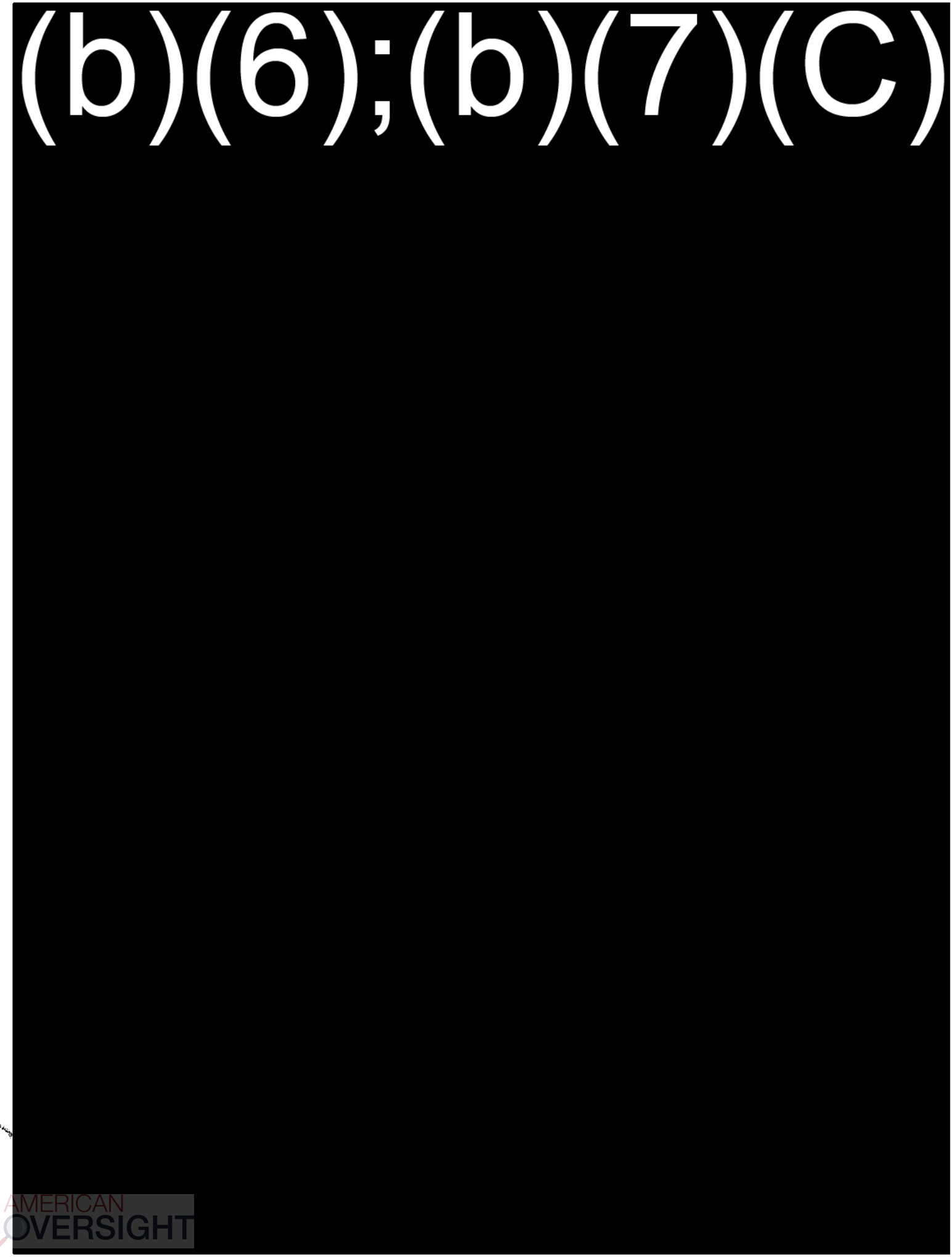
- 02/21/2019, 5:49 A.M., (b) (6), (b) (7)(C), was transported to the RGV CPC for continued detention.
- 02/21/2019, 4:41 P.M., (b) (6), (b) (7)(C) complained about pain to her stomach and was evaluated by CPC medical staff. It was determined that the subject was 24 weeks pregnant and (b) (6), (b) (7)(C) .
- 02/21/2019, 5:33 P.M., (b) (6), (b) (7)(C), was transported to McAllen Medical Center for evaluation. The subject was cleared for detention and travel.
- 02/21/2019, 9:24 P.M., (b) (6), (b) (7)(C), was released from the hospital and transported back to RGV CPC.

February 22, 2019

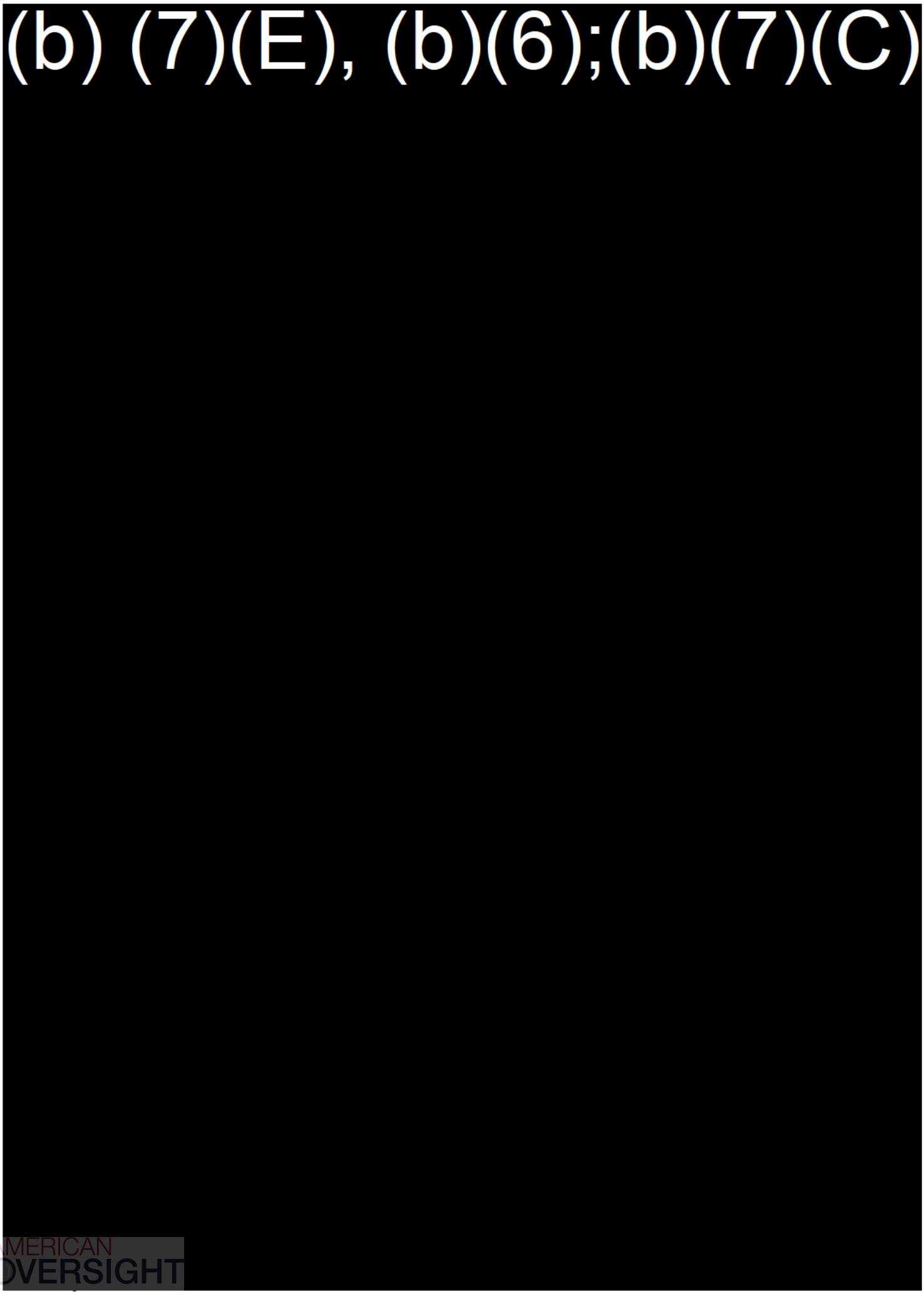
- 02/22/2019, 3:07 P.M., (b) (6), (b) (7)(C) was permanently booked out of RGV CPC and turned over to ERO.
- (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

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AMERICAN OVERSIGHT

[redacted]

AMERICAN OVERSIGHT

[redacted]

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C); LOWRY, KIM M; (b)(6);(b)(7)(C)
Subject: RE: Stillborn Notifications
Date: Monday, February 25, 2019 10:02:00 PM

Thank you again for all of your help on this today, (b)(6);(b)(7)(C) Very much appreciate it.

From: (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 9:33 AM
To: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) LOWRY, KIM M
(b)(6);(b)(7)(C)
Subject: FW: Stillborn Notifications
Importance: High

(b)(6);(b)(7)(C)

ICE has indicated to us that there is a Joint DHS Statement from S1s office regarding the incident that happened Thursday night going into Friday. They (ICE) believe that this will be both for media and the Hill. DHS OLA is checking to see what the statement is and how it will be released. We will advise once we hear. Thanks

---

From: (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 9:03 AM
To: (b) (6)
Cc: LOWRY, KIM M < (b)(6);(b)(7)(C)
Subject: FW: Stillborn Notifications
Importance: High

Good Morning AC – I just returned from our morning meeting with our Chief of Staff. Both she and the Commissioner wanted me to follow-up with you regarding the stillborn delivery over the weekend. Are you planning on doing notifications to the Hill regarding the incident? Anything that you can share with me would be greatly appreciated. Thanks (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 8:41 AM
To: (b) (6)
Subject: Stillborn Notifications

Good morning (b) (6)

Just tried calling but figured I'd follow-up with an email. (b) (5)

AMERICAN OVERSIGHT

(b) (5)

.

Hope you are well!

_____

(b)(6);(b)(7)(C)
U.S. Customs and Border Protection
Office of Congressional Affairs
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: PETERLIN, MEGHANN K
Cc: (b)(6);(b)(7)(C); LOWRY, KIM M; (b)(6);(b)(7)(C) MEEHAN, ANDREW C; BOYD, VALERIE S
Subject: RE: Stillborn Notifications
Date: Monday, February 25, 2019 12:05:19 PM

We haven't seen anything. OLA is saying its with ICE Public Affairs.

From: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 1:01 PM
To: (b)(6);(b)(7)(C)
Cc: LOWRY, KIM M (b)(6);(b)(7)(C); MEEHAN, ANDREW C (b)(6);(b)(7)(C); BOYD, VALERIE S (b)(6);(b)(7)(C)
Subject: RE: Stillborn Notifications

Thank you. If OCA/OPA would please send a copy of the statement as soon as it's available. Have we seen a draft at all?

From (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 1:00 PM
To: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) LOWRY, KIM M (b)(6);(b)(7)(C) MEEHAN, ANDREW C (b)(6);(b)(7)(C) BOYD, VALERIE S < (b)(6);(b)(7)(C)
Subject: RE: Stillborn Notifications

Meghann and Andrew - DHS OLA just confirmed with ICE OCA that Committee Leadership will receive the joint statement release, followed closely by a media release.

From: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 9:42 AM
To: (b)(6);(b)(7)(C)
Cc: LOWRY, KIM M (b)(6);(b)(7)(C) MEEHAN, ANDREW C < (b)(6);(b)(7)(C) BOYD, VALERIE S (b)(6);(b)(7)(C)
Subject: Re: Stillborn Notifications

Thank you for running this down. Andrew- would you please reconnect with OPA too?

On Feb 25, 2019, at 9:32 AM, (b)(6);(b)(7)(C) > wrote:

> Meghann -
>
> ICE has indicated to us that there is a Joint DHS Statement from S1s office regarding the incident that happened Thursday night going into Friday. They (ICE) believe that this

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will be both for media and the Hill. DHS OLA is checking to see what the statement is and how it will be released. We will advise once we hear. Thanks

---

From: (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 9:03 AM
To: (b) (6)
>
Cc: LOWRY, KIM M <(b)(6);(b)(7)(C)
Subject: FW: Stillborn Notifications
Importance: High

Good Morning AC – I just returned from our morning meeting with our Chief of Staff. Both she and the Commissioner wanted me to follow-up with you regarding the stillborn delivery over the weekend. Are you planning on doing notifications to the Hill regarding the incident? Anything that you can share with me would be greatly appreciated. Thanks (b) (6), (b) (7)(C)

From: (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 8:41 AM
To: (b) (6)
Subject: Stillborn Notifications

Good morning (b) (6),

Just tried calling but figured I'd follow-up with an email. (b) (5)

Hope you are well!

_____
(b)(6);(b)(7)(C)
U.S. Customs and Border Protection
Office of Congressional Affairs
(b)(6);(b)(7)(C)

<image001.jpg>

AMERICAN OVERSIGHT

From: MEEHAN, ANDREW C
To: PETERLIN, MEGHANN K
Subject: RE: Update on the statement
Date: Monday, February 25, 2019 6:09:13 AM

(b)(6);(b)(7)(C)

Andrew Meehan
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 7:01 AM
To: MEEHAN, ANDREW C (b)(6);(b)(7)(C)
Subject: Re: Update on the statement

Yeah; She's not. :-(We can talk to whomever is there from OCA and I'll just go ahead a call ICE COS too.

On Feb 25, 2019, at 6:33 AM, MEEHAN, ANDREW C < (b)(6);(b)(7)(C) wrote:

(b) (6)

Andrew Meehan
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Sent: Monday, February 25, 2019 6:31 AM
To: MEEHAN, ANDREW C (b)(6);(b)(7)(C)
Subject: Re: Update on the statement

Thank you. I wasn't able to get ahold of Kim last night but we'll connect with OCA at 0830 and get a steer from the boss.

On Feb 25, 2019, at 5:10 AM, MEEHAN, ANDREW C (b)(6);(b)(7)(C) wrote:

> Meghan,
>
> Per our conversation, a draft CBP statement regarding the stillborn is near completion – should have that for you this morning. Additionally, I pinged ICE again.
>
> Andrew Meehan
> Assistant Commissioner, Office of Public Affairs

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U.S. Customs and Border Protection

Office: (b)(6);(b)(7)(C)
Cell:(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: FLANAGAN, PATRICK S
To: MCALEENAN, KEVIN K
Cc: PEREZ, ROBERT E; SANDERS, JOHN P
Subject: FW: USBP CRC Daily Report 01/03/2019
Date: Thursday, January 3, 2019 6:30:19 PM
Attachments: CRC Tracker Hospitalized Top 5 010319 1700.pdf
CRC Daily Report 01032019 1700 hours.pdf

Sir,

Please see end of day report from CRC.

Reporting Statistics:

- USBP has 14 book-outs containing 16 total subjects at a hospital or medical facility. Of the 16 subjects, 14 are receiving treatment or under medical evaluation
- Since inception of the CRC (Dec 22), 776 book-outs containing 1,155 subjects have been sent to a hospital or medical facility
  - This translates to 59 69 trips to the hospital/medical facility per day
  - 57 UACs and 280 single adults have received evaluation/treatment since Dec 22
  - 441 family units have been transported to a medical facility/hospital for evaluation/treatment
- Subject's transported to the hospital have received treatment amounting in 9,441.98 hours spent at a hospital as of 5:00 pm today (commencing on 12/22).
  - This equates to just under 944 shifts of hospital watch in 13 days (multiple agents assigned per shift)
- 82.5 percent of the detainees receiving medical treatment are from Northern Triangle countries.
- USBP assesses that 69% of FMUA and UAC subjects under 18 in custody have been assessed by medical personnel

V/R
Patrick

Patrick Flanagan
(b)(6);(b)(7)(C)

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From (b) (6), (b) (7)(C) **On Behalf Of** USBP CRITICAL REPORTING CELL
Sent: Thursday, January 3, 2019 5:36 PM
To: (b) (6), (b) (7)(C) SANDERS, JOHN P (b) (6), (b) (7)(C)
FLANAGAN, PATRICK S (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) PROVOST, CARLA (USBP)
(b) (6), (b) (7)(C)
Subject: USBP CRC Daily Report 01/03/2019

Chief, Deputy, CoS,

Please see attached for the daily CRC reports.

USBP Critical Reporting Cell

Detainee/Patient Data				Status Reporting Date					
Sector	Name	DOB	Diagnosis	30-Dec	31-Dec	1-Jan	2-Jan	3-Jan	4-Jan
Rio Grande Valley	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Failure to Thrive	Hospitalized for Failure to Thrive and possible Tuberculosis	Intestinal bacteria located, remains hospitalized	Child is eating and showing signs of improvement, no additional updates to provide	Subject will be released at 1700 hours after prescriptions are filled at the hospital. Pending RGV/ERO coordination for disposition of subjects.	Returned to CPC at 1920 hours on 1/2/19, transferred to ERO at 1924 hours.	
Rio Grande Valley			Sepsis, Intestinal blockage	Concerns with blood clot in the heart	Subject seen by cardiologist today, pending results	Subjects vitals are normal, continued observation by medical personnel expected	Subjects vitals are normal, continued observation by medical personnel expected	Subjects vitals are normal, continued observation by medical personnel expected	
El Paso			Influenza Symptoms	Hospitalized with breathing machine, bilateral pneumonia and influenza A	Subject remains on oxygen, attempts to remove the subject resulted in dropping vitals	No noted change in subject status	The subject was released from the hospital. EPT and ERO coordination for disposition of subjects ongoing.	Booked out permanently at 2053 hours.	
El Paso			Swollen mouth	Infected/abscessed tooth	Tested positive for H1N1 flu, remains hospitalized	Subject continues to receive treatment, no noted change in status	Subject was released to EPT. EPT/ERO coordination ongoing for disposition of the subject.	Booked out permanently at 2136 hours.	
Laredo			Dehydration		Subject admitted for Rhabdomyolysis, remains in stable condition	Pending bloodwork results to establish treatment plan	Medically cleared, transported to station for processing. Processing complete as of 0129 hours 1/2. Pending ERO coordination	Booked out permanently at 0532 hours.	
Rio Grande Valley			Influenza, Pneumonia		Subject encountered in the field requiring immediate transport to hospital, initially treated by USBP EMT	Diagnosed with influenza and infectious pneumonia, located in Pediatric Intensive Care Unit	Attending nurse states subject's condition has improved, pending OREC paperwork from ERO.	The agent assigned to hospital watch duties advised that there were no significant changes to the juvenile's health. At this time, there are no updates to the status of the OREC paperwork. Expected discharge is two days	
Del Rio			Renal Failure		911 call from Dimmit Sheriffs, located by BP units, initial complaint of injured ankle	Admitted to the hospital for renal failure, treatment ongoing	Subject released from hospital. Subject is currently undergoing alien processing at the station.	Processing complete, permanently booked out at 1522 hours.	
Yuma			Influenza Symptoms				Diagnosed with pneumonia at hospital. Subject received OR from BP effective 1340 hours today	Served NTA/OR paperwork at 1745 hours, provided with NGO contact information.	
Rio Grande Valley			Pregnancy Complication					Subject delivered healthy baby via "C" section birth. Pending USBP initiated OR, request for ERO OREC of the subject denied	
Rio Grande Valley			Childbirth					Expected to be hospitalized up to six weeks, request for ERO OREC of the subject denied	

Reporting Statistics:

- USBP has 14 book-outs containing 16 total subjects at a hospital or medical facility. Of the 16 subjects, 14 are receiving treatment or under medical evaluation
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AMERICAN OVERSIGHT

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USBP Critical Reporting Cell

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Rio Grande Valley			Sepsis, Intestinal blockage	Concerns with blood clot in the heart	Subject seen by cardiologist today, pending results	Subjects vitals are normal, continued observation by medical personnel expected	Subjects vitals are normal, continued observation by medical personnel expected	Subjects vitals are normal, continued observation by medical personnel expected	
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Rio Grande Valley			Childbirth					Expected to be hospitalized up to six weeks, request for ERO OREC of the subject denied	

AMERICAN OVERSIGHT

USBP Subjects Currently At Hospital Overview
All Subjects (Includes Accompanying Family Members) Currently at the Hospital as of 01/03/2019 05:00 PM
Data includes Deportable and Non-Deportable Subjects
Data Source: (b) (7)(E) [redacted]

Demographic	Bookout Date	Arrest Date	Age	Gender	Citizenship	Subject Name	Arrest Sector	Event Number	Bookout Number	Medical Comment
FMUA	1/1/2019	12/31/2018	2	M	HONDU	(b) (6), (b) (7)(C) [redacted]	RGV	(b) (7)(E), (b)(6);(b)(7)(C) [redacted]		Pneumonia
FMUA	1/1/2019	12/31/2018	22	M	HONDU		RGV			Accompanying family member
FMUA	1/1/2019	12/31/2018	3	F	MEXIC		RGV			Accompanying family member
FMUA	1/1/2019	12/31/2018	22	F	HONDU		RGV			Childbirth
Single Adults	12/26/2018	12/26/2018	38	M	MEXIC		TCA			Diabetic, infection
Single Adults	1/1/2019	12/29/2018	58	M	MEXIC		SDC			TB screening
Single Adults	1/1/2019	12/30/2018	18	F	GUATE		TCA			Rhabdomyolysis
Single Adults	1/1/2019	1/1/2019	50	M	MEXIC		ELC			Spider bite treatment
Single Adults	1/2/2019	1/2/2019	59	M	MEXIC		RGV			Foot Injury
Single Adults	1/2/2019	1/2/2019	48	M	BRAZI		SDC			Broken Heel
Single Adults	1/2/2019	1/2/2019	19	F	MEXIC		RGV			Pregnant subject - 36 weeks
Single Adults	1/3/2019	1/2/2019	49	M	MEXIC		RGV			Chest Pain
Single Adults	1/3/2019	1/2/2019	30	M	HONDU		SDC			Medical Screening (TB)
Single Adults	1/3/2019	1/2/2019	36	M	HONDU		SDC			Medical Screening (TB)
Single Adults	1/3/2019	1/2/2019	48	M	HONDU		SDC			Medical Screening (TB)
Single Adults	1/3/2019	1/2/2019	35	M	ELSAL		EPT			Medical evaluation - headache

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USBP Subjects Currently At Hospital Overview
All Subjects (Includes Accompanying Family Members) Currently at the Hospital
as of 01/03/2019 05:00 PM
Data includes Deportable and Non-Deportable Subjects
Data Source: (b) (7)(E) [redacted]

Arrest Sector	Age Group	UAC	FMUA	Single Adults	Total
ELC	> 18	0	0	1	1
EPT	> 18	0	0	1	1
RGV	0 - 5	0	2	0	2
	> 18	0	2	3	5
SDC	> 18	0	0	5	5
TCA	> 18	0	0	2	2
	Total Subjects	0	4	12	16

USBP Subjects Currently At Hospital Overview
All Current Bookouts at the Hospital
as of 01/03/2019 05:00 PM
Data includes Deportable and Non-Deportable Subjects
Data Source: (b) (7)(E) [redacted]

Arrest Sector	UAC	FMUA	Single Adults	Total
ELC	0	0	1	1
EPT	0	0	1	1
RGV	0	2	3	5
SDC	0	0	5	5
TCA	0	0	2	2
Total Bookouts	0	2	12	14

All Book Outs May include Multiple Subjects, and Each Subject can be included in different Book Outs.
Family Unit Book Outs can include multiple subjects not receiving treatment.

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From: MCALEENAN, KEVIN K
To: [redacted]
Cc: FLANAGAN, PATRICK S; PETERLIN, MEGHANN K; [redacted]
Subject: Re: Hospital Watch Question
Date: Friday, December 7, 2018 11:11:51 PM

Thank you. Any sense of why the father claimed that? They have been released already...

Sent from my iPhone

On Dec 7, 2018, at 10:29 PM, [redacted] wrote:

> Sir, USBP advises that at no time was there an attempt to restrain [redacted] during or post-delivery.
>
> [redacted]
>
> [redacted]
>
> Begin forwarded message:
>
> **From:** [redacted]
> **Date:** December 7, 2018 at 9:41:49 PM EST
> **To:** [redacted]
> **Cc:** [redacted] "LUCK, SCOTT A (USBP)" [redacted] "PROVOST, CARLA (USBP)" [redacted] "HASTINGS, BRIAN S" [redacted]
> **Subject: RE: Hospital Watch Question**
>
> Hi, [redacted]

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Sorry for the delay. I needed to do a little research.

(b) (5)



Please let me know if you need anything else!

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, December 7, 2018 7:51 PM
To: (b) (6), (b) (7)(C)
Cc: (b)(6);(b)(7)(C) LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: RE: Hospital Watch Question

Excellent, thank you, Chief. (b) (6), (b) (7)(C) when you let us know how this section of TEDS came to be added to the document, we'll circle back with the Commissioner.

<!--[if !supportLists]-->? <!--[endif]-->**TEDS 5.7 stipulates: 5.0 AT-RISK POPULATIONS**

<!--[if !supportLists]-->o <!--[endif]-->**Post-delivery Recuperation: A detainee in post-delivery recuperation must not be restrained absent extraordinary circumstances that render restraints absolutely necessary.**

AMERICAN OVERSIGHT

<!--[if !supportLists]-->o <!--[endif]-->Active Labor or Delivery: Restraints are never permitted on detainees who are in active labor or delivery.

<!--[if !supportLists]-->? <!--[endif]-->**SDC's Policy:** (March 2018 version) (in compliance with TEDS, but clarifies "extraordinary circumstances"

<!--[if !supportLists]-->o <!--[endif]-->4.1.8.1. Barring exigent circumstances, officers/agents must not use restraints on pregnant detainees or juveniles unless they have demonstrated or threatened violent behavior, have a history of criminal and/or violent activity, or an articulable likelihood of escape exists.

From: (b) (6), (b) (7)(C)
Sent: Friday, December 7, 2018 7:45 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: (b)(6);(b)(7)(C) LUCK, SCOTT A
(b) (6), (b) (7)(C) PROVOST, CARLA (USBP)
(b)(6);(b)(7)(C) HASTINGS, BRIAN S
Subject: RE: Hospital Watch Question

Ma'am,

San Diego spoke to the agent on hospital watch. He reports that at NO TIME was there any effort to restrain the female. Memo is pending to document his statement.

VR

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Deputy Chief of Operations
Law Enforcement Operations Directorate
U.S. Border Patrol Headquarters

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(b)(6);(b)(7)(C) office
cellular

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From: (b) (6), (b) (7)(C)
Sent: Friday, December 7, 2018 7:20 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: (b)(6);(b)(7)(C) LUCK, SCOTT A
(b) (6), (b) (7)(C) PROVOST, CARLA (USBP)
(b)(6);(b)(7)(C) HASTINGS, BRIAN S
Subject: RE: Hospital Watch Question

Thanks, (b) (6), (b) (7)(C) we provided this to C1 along with the relevant section of TEDS.

I'm sorry to ask, but it will be useful to understand if there was an attempt to restrain her, given the media reports that we did. Story pasted below.

(b) (6), (b) (7)(C) (b) (5)

Honduran migrant, 19, gives birth to a baby boy less than 24 hours after climbing over the border fence in Tijuana and setting foot in the United States
Daily Mail
By Adry Torres
December 5, 2018
https://www.dailymail.co.uk/news/article-6463519/Migrant-teen-gives-birth-baby-boy-U-S-hospital-climbing-border-wall-Tijuana.html

<!--[if !supportLists]-->• <!--[endif]-->Maryury Elizabeth Serrano-Hernandez, 19, gave birth to a baby boy in San Diego after going into labor November 27
<!--[if !supportLists]-->• <!--[endif]-->She climbed a border

AMERICAN OVERSIGHT

fence with her husband and son, 2, less than 24 hours earlier and was detained by immigration officials

<!--[if !supportLists]-->• <!--[endif]-->She is believed to be the first member of the caravan asylum seekers to give birth in the United States

<!--[if !supportLists]-->• <!--[endif]-->The Honduran family joined the migrant caravan in mid-October

<!--[if !supportLists]-->• <!--[endif]-->Miguel Ortiz said immigration officials tried to place handcuffs on his wife after she gave birth but hospital nurses stepped in to stop them

<!--[if !supportLists]-->• <!--[endif]-->The new parents and their children are staying with a family in San Diego and will move to Ohio where they expect their asylum request to be heard in court

A 19-year-old Honduran woman who wanted to give birth to her second child in the United States had a son within 24 hours of climbing the border wall.

Maryury Elizabeth Serrano-Hernandez, 19, went into labor November 27, less than 24 hours after she climbed over the border fence in Tijuana with her husband, 20, and two-year-old son.

'With the faith in God, I always said my son will be born there [in the United States] because he will be born there,' Serrano-Hernandez told Univision.

She is believed to be the first member of the migrant caravan to gie birth after crossing to the U.S. to seek asylum.

Serrano-Hernandez and her family were detained by agents from the Imperial Beach Station in San Diego County on November 26.

A spokesperson with the U.S. Customs and Border Patrol agency told DailyMail.com: 'The woman, who was eight months pregnant, began complaining of abdominal pain Tuesday and was immediately transported to a local hospital by Border Patrol agents.'

Her husband, Miguel Ortiz told Telemundo San Diego that immigration officials tried to place handcuffs on the mother while she rested on the hospital bed moments after she had been brought out of the operating room but nurses resisted the attempt.

Nurses also held a fundraising collection but once Serrano-Hernandez and her family returned to the detention center, their property was confiscated.

'They got him pampers, wipes, clothing, a coat. All of that stuff,' she said. 'But they [the nurses] told me that they couldn't confiscate the clothes and the pampers because that's what a baby needs the most.'

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The family of four was released from the immigration detention center on Sunday night and are being housed by a family before they can move to Columbus, Ohio where they will continue their asylum proceeding at a court.

President Donald Trump has vowed to stop migrants entering the U.S., sending troops to reinforce the border and attempting a procedural change, so far denied by the courts, to require asylum-seekers to remain in Mexico while their cases are heard.

Frustrated and exhausted after weeks of uncertainty, many of the migrants have become desperate since getting stuck in squalid camps in the Mexican border city of Tijuana.

Serrano-Hernandez and her family started their journey to America in mid-October when the first wave of the massive caravan set out from Honduras and lingered in Guatemala before the Mexican government caved in and let scores of Central American migrants walk through its southern border. She was already heavily pregnant at this point.

Their journey, which has been followed by Univision, has seen them sleeping in a tent on a sidewalk, being transported in a crowded livestock truck that would usually be used to transport pigs.

Last week, Ortiz and his pregnant wife decided it was the perfect time to climb the border wall.

They climbed over a fence and safely touched American soil. The three Hondurans walked up a dirt hill before they were met by border patrol agents from a nearby station.

Ortiz, who is wearing an ankle monitor, recalled the agents asked them to return back to Tijuana but he and his wife declined the immigration officers' request, turning themselves in.

The immigration officials at first didn't buy Serrano-Hernandez's claims that she was pregnant as her labor contractions started to increase and felt more painful.

From: (b) (6), (b) (7)(C) [redacted]

Sent: Friday, December 7, 2018 5:49 PM

To: (b)(6);(b)(7)(C) [redacted] LADOWICZ, JOHN P

(b)(6);(b)(7)(C) [redacted]

(b)(6);(b)(7)(C) [redacted] PETERLIN, MEGHANN K

Cc: (b) (6), (b) (7)(C) [redacted]

Subject: Fwd: Hospital Watch Question

AMERICAN OVERSIGHT

Shall I send to C1 or will someone ensure he sees this?

Thanks,
(b) (6), (b) (7)(C)

Begin forwarded message:

From: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
To: (b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)

Cc: "LUCK, SCOTT A (USBP)"
(b) (6), (b) (7)(C) "PROVOST, CARLA (USBP)"
(b)(6);(b)(7)(C)
"HASTINGS, BRIAN S"
(b)(6);(b)(7)(C)
Subject: RE: Hospital Watch Question

(b) (6), (b) (7)(C)

Adding a few folks to the string for SA, as this may be useful in the Chief's upcoming testimony as well.

BLUF:

<!--[if !supportLists]-->? <!--[endif]-->San Diego Sector reported to USBPHQ the subject was not handcuffed at any time.

<!--[if !supportLists]-->? <!--[endif]-->**TEDS 5.7 stipulates: 5.0 AT-RISK POPULATIONS**

<!--[if !supportLists]-->o <!--[endif]-->**Post-delivery Recuperation: A detainee in post-delivery recuperation must not be restrained absent extraordinary circumstances that render restraints absolutely necessary.**

<!--[if !supportLists]-->o <!--[endif]-->Active Labor or Delivery: Restraints are

AMERICAN OVERSIGHT

never permitted on detainees who are in active labor or delivery.

<!--[if !supportLists]-->? <!--[endif]--> **SDC's Policy:** (March 2018 version) (in compliance with TEDS, but clarifies "extraordinary circumstances"

<!--[if !supportLists]-->o <!--[endif]--> 4.1.8.1. Barring exigent circumstances, officers/agents must not use restraints on pregnant detainees or juveniles unless they have demonstrated or threatened violent behavior, have a history of criminal and/or violent activity, or an articulable likelihood of escape exists.

If you have any questions, please let us know.

VR

(b) (6), (b) (7)(C)
Deputy Chief of Operations
Law Enforcement Operations Directorate
U.S. Border Patrol Headquarters
(b)(6);(b)(7)(C) office
cellular

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From: (b) (6), (b) (7)(C)
Sent: Friday, December 7, 2018 11:59 AM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: Hospital Watch Question

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Chief (s),
During the C1 prep this morning, a question came up about Hospital Watch and what our policy is regarding handcuffing subject to the bed etc... there was a news article in the paper (waiting on OCA to forward the article) that states as soon as an alien gave birth, agents immediately tried to Put handcuffs on the Alien.

If you could let me know what our SOP is that would be very helpful. And If you have any info on this particular case that would great too.

Thank you!

Thanks,
(b) (6), (b) (7)(C)

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