

EXHIBIT B

JULY 1, 2024 CBP JUVENILE COORDINATOR ANNUAL REPORT



1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and
Border Protection

June 27, 2024

MEMORANDUM FOR: The Honorable Judge Gee
District Judge
U.S. District Court, Central District of California

FROM: Henry A. Moak, Jr.
Chief Accountability Officer
U.S. Customs and Border Protection

6/27/2024

x 

SUBJECT: 2024 CBP Juvenile Coordinator Annual Report

This annual U.S. Customs and Border Protection (CBP) Juvenile Coordinator Report is submitted in accordance with Paragraph 28A of the *Flores* Settlement Agreement (FSA). This report documents my activities from June 2023 through May 2024, to report on CBP's compliance with the FSA. While this Court's recent focus has been on the U.S. Border Patrol (USBP) Rio Grande Valley (RGV) and El Paso (EPT) Sectors, my responsibility as the CBP Juvenile Coordinator requires me to report on compliance with the FSA nationwide. As such, this report documents my observations across the Southwest Border (SWB) where most children¹ are held in CBP custody, including CBP facilities in RGV and EPT Sectors. It does not address other borders.

Despite the 38% increase in children and family encounters this fiscal year, CBP's frontline operators, USBP and the Office of Field Operations (OFO), continue to respond to the challenges of large groups of migrants crossing by providing care to those in CBP's custody. My Juvenile Coordinator Division (JCD) team and I have continued efforts to report on compliance through both announced and unannounced site visits, continually seeking to innovate and further enhance how we fulfill our reporting responsibilities. Our efforts include using mobile devices and online protocols in the field, immediately recording data, and taking photographs to use in our reporting, in addition to conducting Juvenile Coordinator Town Halls addressing compliance with the FSA and best practices. Earlier this year, the JCD team and I created the *Flores* Implementation Training (FIT) module for CBP employees in the field to further enhance understanding of FSA requirements and related policy while promulgating best practices for the care of children in CBP custody, which I will discuss in more detail later.

¹ For the purposes of this report, "children" refers to both unaccompanied children and children (those under the age of 18) who are part of a family unit (i.e., accompanied by a parent or legal guardian).

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Based on my inspections this reporting period, CBP continues to be substantially compliant with both the FSA and the RGV and EPT Settlement Agreement (Agreement).

The first section of this report provides a census of class members in custody, followed by a general update on significant CBP developments related to the care and custody of children. After addressing the implementation of the Agreement, I discuss my activities along the SWB.

Census of Class Members

Overall, children and family encounters were up 38.3% in Fiscal Year (FY) 2024 compared to FY 2023 from October to May. However, total CBP encounters were only up 2.82%.² While unaccompanied children (UC) encounters decreased by 10%, Family Unit (FMU) encounters increased by 49%. The average time in custody (TIC) for class members never rose above 59.11 hours from June 2023 to May 2024.

In May 2024, USBP recorded 117,906 encounters, which was a 31.2% decrease from May 2023, and OFO recorded 52,817 encounters, which is an increase of 49.6% from May 2023. CBP's total May 2024 encounters were down 17.4% from May 2023. Further, encounters with UCs decreased 12.9% from May 2023 compared to May 2024. Encounters with FMUs increased by 5.3% over the same period.

The following tables and charts provide information regarding encounters at the SWB CBP-wide, as well as encounters specific to USBP SWB. Table 1 depicts CBP's encounters by demographics. Table 2 and Chart 1 shows the entire FY 2024 to date compared to FY 2023. The data regarding "accompanied minors" (AM) is applicable to OFO only. An AM is a distinct demographic, separate from UC and children encountered with a parent or legal guardian.³

² When comparing all demographics, there was a 2.82% increase from FY 2023 to FY 2024. When comparing just children and families (UCs/Single Minors, FMUs, and AMs) there was a 38.3% increase.

³ An AM is defined as an inadmissible child who is accompanied by an admissible parent or legal guardian. For example, OFO would classify a child as an AM in a situation where the parent is a Lawful Permanent Resident, but the child does not have a valid nonimmigrant or immigrant visa. Another example is when a parent has a valid nonimmigrant visa, but the child does not have a valid nonimmigrant visa as a dependent of the parent. Both OFO and USBP would classify a child as part of a FMU when the noncitizen child/children and noncitizen parent(s)/legal guardian(s) are all inadmissible.

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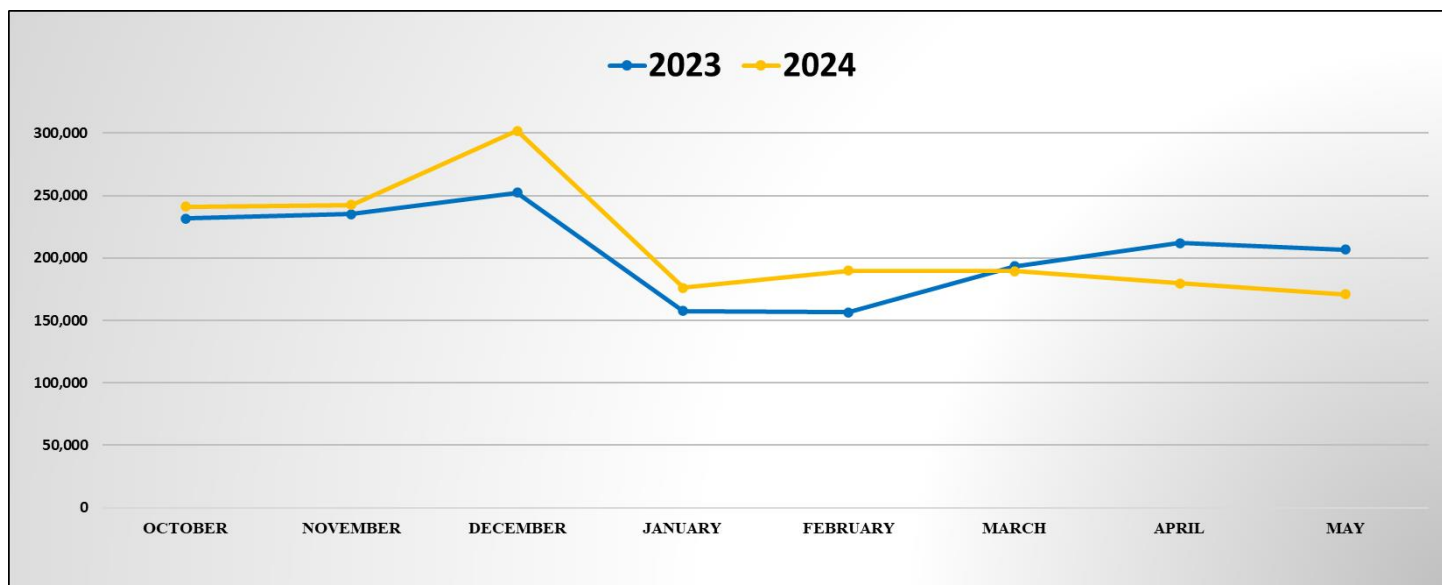
Table 1. Comparison of CBP Encounters in October to May FY 2023 to FY 2024⁴

	FY 2023	FY 2024	% Change
CBP Single Adults	1,112,757	955,172	-14.16%
CBP UCs/ Single Minors	91,358	82,615	-9.57%
CBP FMUs ⁵	438,869	652,355	48.64%
CBP AMs	1,952	1,109	-43.19%
Totals	1,644,936	1,691,251	2.82%

Table 2. Total CBP Southwest Land Border Encounters October to May FY 2023 to FY 2024⁶

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Totals
FY 2023	231,529	235,173	252,315	157,358	156,630	193,249	211,992	206,690	1,644,936
FY 2024	240,930	242,402	301,983	176,197	189,912	189,362	179,742	170,732	1,691,251

Chart 1. Total CBP Southwest Land Border Encounters



⁴ U.S. Border Patrol and Office of Field Operations Encounters FY 2024, U.S. Department of Homeland Security, Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last visited June 21, 2024).

⁵ Family unit represents the number of individuals (either a child under 18 years old or parent/legal guardian) encountered as part of a family unit by CBP. A family unit is defined as a noncitizen child/children accompanied by his/her/their noncitizen parent(s) or legal guardian(s).

⁶ See, U.S. Border Patrol and Office of Field Operations Encounters FY 2024.

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Table 3 and Chart 2 show the FY 2024 to date information by demographics.

Table 3. CBP Encounters in June 2023-May 2024⁷

	June 2023	July 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024
CBP Single Adults	81,222	86,486	101,840	132,017	123,022	125,346	164,880	107,193	114,298	113,725	109,503	97,205
CBP UCs/ Single Minors	7,274	10,635	14,237	13,771	11,500	12,795	13,463	8,514	10,353	8,830	8,518	8,642
CBP FMUs	55,928	86,203	116,722	123,815	106,286	104,141	123,501	60,337	65,139	66,645	61,582	64,724
CBP AMs	132	155	164	132	122	120	139	153	122	162	139	152

Chart 2. 2024 Total CBP Southwest Land Border Encounter Demographics⁸

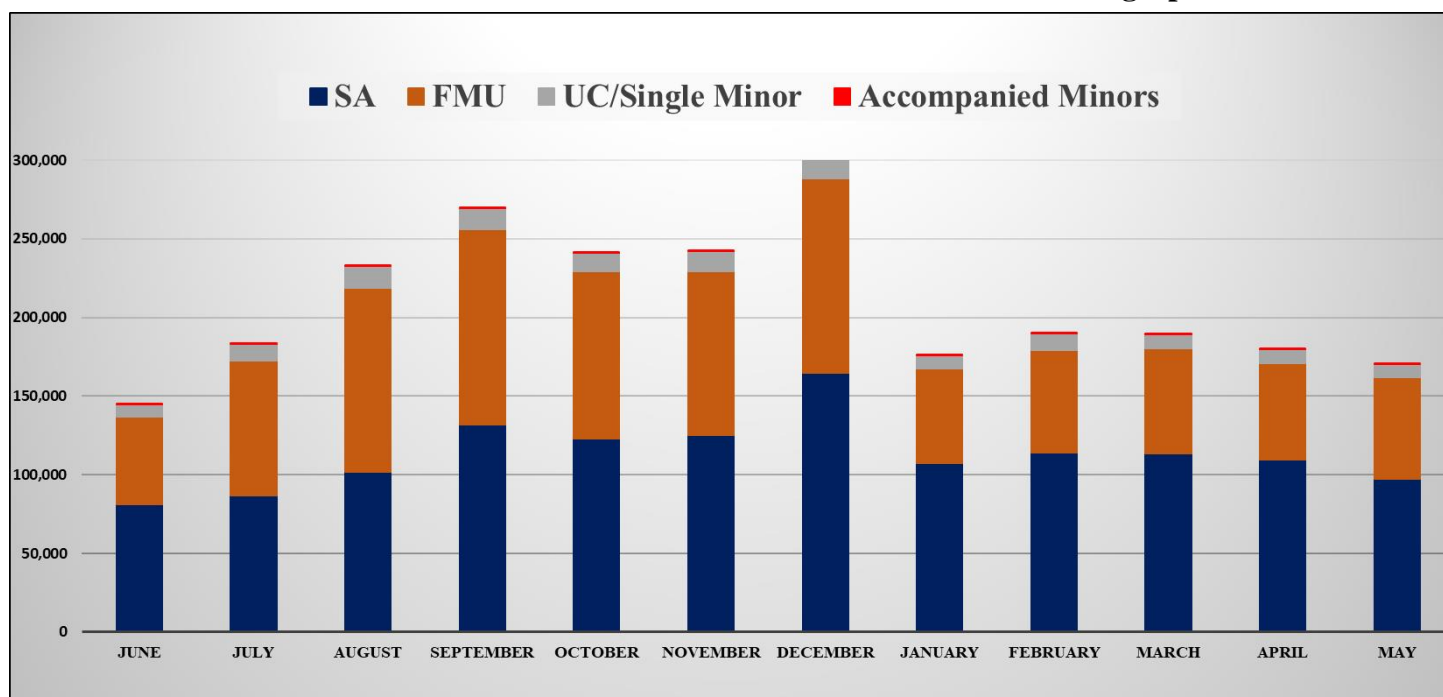


Table 4 shows the Average Daily Subjects in USBP Custody across the SWB.

Table 4. USBP Average Daily Subjects in Custody⁹

	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024
USBP SWB Average	14,283	14,392	19,199	9,211	10,731	9,241	9,176	9,080

⁷ See, U.S. Border Patrol and Office of Field Operations Encounters FY 2024.

⁸ See, U.S. Border Patrol and Office of Field Operations Encounters FY 2024.

⁹ USBP Average Daily Subjects in Custody by Southwest Border Sector, U.S. Department of Homeland Security, U.S. Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics> (last visited June 21, 2024). This data is only available from October 2023; thus June-September 2023 is not included in this table.

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Table 5 provides specific information regarding the number of class members in CBP custody across the SWB as of June 10, 2024, at 6:00 a.m. Eastern Daylight Time (EDT). The June 10, 2024, date was selected to provide a snapshot of the number of class members in CBP custody during the time this report was compiled.

Table 5. Class Members in CBP Custody on June 10, 2024, at 6:00 a.m. EDT¹⁰

	CBP SWB	USBP SWB
Number of UCs	289	274
Number of FMU Children	2,000	1,950
Number of AMs	2	N/A
Totals	2,291	2,224

Finally, Table 6 depicts the average length of time children were in CBP custody across the SWB.¹¹ This table shows the average time in custody (TIC) for all children, as well as the TIC for UCs and FMU children specifically. Average TIC data is provided for June 2023 to May 2024 and June 10, 2024. The average TIC on June 10, 2024, was provided to depict a more recent snapshot of the average TIC for class members as of the time this report was compiled.

Table 6. Class Members Average CBP Time in Custody¹²

		Jun-2023	Jul-2023	Aug-2023	Sep-2023	Oct-2023	Nov-2023	Dec-2023	Jan-2024	Feb-2024	Mar-2024	Apr-2024	May-2024	6-10-2024
CBP SWB	All*	35.08	50.32	49.27	52.59	43.73	48.23	49.74	37.30	33.53	33.01	34.35	32.83	40.55
	UCs	23.87	30.34	32.46	34.61	32.04	36.17	37.80	25.40	26.70	25.01	25.20	27.93	29.49
	FMUs	39.99	56.72	54.08	57.23	46.67	51.79	52.80	41.43	36.35	35.73	37.49	34.54	44.11
	AMs	6.98	6.80	10.09	10.49	8.70	8.14	8.98	7.13	9.55	10.14	16.85	30.05	22.72
USBP SWB	All*	37.46	52.17	50.58	53.63	44.78	49.36	50.74	38.75	34.47	34.03	35.58	33.86	41.72
	UCs	23.99	30.60	32.69	34.78	32.32	36.48	37.88	25.52	26.81	25.03	25.22	27.93	29.48
	FMUs	42.97	59.11	55.53	58.35	47.77	53.00	53.84	43.16	37.48	36.93	39.05	35.91	45.54
*All in this table refers only to class members: children ages 0-17.														

¹⁰ The census of class members in CBP and USBP Sector custody as shown in Table 5 was provided to JCD by CBP for the purpose of this report. This is not official data published on cbp.gov.

¹¹ TIC represents the amount of time an individual is in CBP custody, beginning at the time of apprehension through the time of transfer from CBP custody. Thus, the average TIC for all children is calculated based on the total number of children in custody and how long each child had been in custody as of 6:00 a.m. EDT on a particular day. For example, if a child were apprehended at 12:00 a.m. EDT on June 10, 2024, the child would have a TIC of six hours at 6:00 a.m. EDT. Likewise, if a child were apprehended at 12:00 a.m. EDT on June 9, 2024, and remained in custody on June 10, 2024, the child would have a TIC of 30 hours at 6:00 a.m. EDT on June 10, 2024.

¹² Data in Table 6 was provided to the Juvenile Coordinator Division by CBP for the purpose of this report. This is not official data published on cbp.gov.

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Many factors can contribute to children remaining in CBP custody more than 72 hours, such as an injury/illness requiring medical treatment/hospitalization, UCs initially claiming to be adults and then proven to be of minor age, or resource and/or capacity limitations with the U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR).

General Updates Related to the Care and Custody of Children

CBP Facilities

As discussed in my July 1, 2023, report, CBP maintains a variety of soft-sided facilities (SSFs) and central processing centers (CPCs) across the SWB. Since my July 1, 2023, report, no new facilities have been built.

Table 7 provides information on the currently operational CBP CPCs and SSFs, including the most current date that the Juvenile Coordination Division (JCD) inspected each facility.

Table 7. CBP Central Processing Centers and Soft-Sided Facilities

Type	Facility	Operational Date	Latest JCD Inspection Date
Del Rio Border Patrol Sector			
SSF	Eagle Pass North	May 2022	May 2024
El Paso Border Patrol Sector			
CPC	EPT MCPC ¹³	February 2020	February 2022 ¹⁴
SSF	El Paso SSF & El Paso Hardened Facility ¹⁵	January 2023; expansion in June 2023	April 2024
Laredo Border Patrol Sector			
SSF	Laredo SSF	September 2021; expansion in April 2022	May 2024
Rio Grande Valley Border Patrol Sector			
CPC	McAllen CPC (previously referred to as CPC-Ursula)	March 2022	Toured April 2022 ¹⁴
SSF	Donna SSF	February 2021	February 2024
San Diego Border Patrol Sector			
SSF	San Diego Area Detention SSF	January 2023; expansion in April 2024	March 2024
Tucson Border Patrol Sector			
CPC	Tucson Coordination Center	August 2020	August 2020 ¹⁴
SSF	Tucson SSF	April 2021	November 2023
Yuma Border Patrol Sector			
SSF	Yuma SSF	April 2021; expansion in April 2022 & May 2023	October 2023

¹³ MCPC stands for Modular Central Processing Center. The El Paso MCPC was a previous Juvenile Priority Facility.

¹⁴ Does not consistently hold children.

¹⁵ At various times, EPT has had different Juvenile Priority Facilities: El Paso MCPC, El Paso SSF, and the El Paso Hardened Facility. As mentioned below, currently, only the El Paso Hardened Facility is routinely holding children.

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Medical Updates

In October 2023, the Office of the Chief Medical Officer (OCMO) implemented an Elevated in-Custody Medical Risk (ECMR) process to identify and categorize persons in custody according to medical risk. The highest risk level is indicated as red when a person in custody has a condition at high risk for sudden worsening or decompensation, or due to the complexities of medical care required to effectively stabilize and treat the condition when the medical need reasonably exceeds the CBP facility's capabilities. Contracted medical personnel must notify CBP of any person with an ECMR of red for consideration for expedited processing. A red wristband is placed on any person identified as an ECMR of red for all CBP personnel to be aware. An onsite contracted advanced practice provider will reach out to the supervising physician or pediatric advisor at initial evaluation. In addition, the contracted medical personnel will conduct enhanced medical monitoring at a minimum every 4 hours.

Care in Custody

In January 2024, CBP established a team of experts to conduct a full assessment of all CBP care-in-custody standards and local practices including policies related to the FSA. Sarah Fabian, a Senior Litigation Counsel at the U.S. Department of Justice detailed to CBP, and U.S. Border Patrol Division Chief Eduardo Sanchez, both of whom have extensive experience working with CBP care-in-custody standards and procedures, conducted the assessment. This assessment, although not solely focused on children or the FSA, will provide recommendations to the Commissioner on how to improve custody operations and refine processes, procedures, and oversight for all demographics, and particularly for the most vulnerable individuals in CBP custody. This proactive action by CBP will ultimately enhance the conditions for children being held in CBP custody.

Interagency Coordination Updates

The Movement Coordination Cell (MCC), established in March 2021, is a first of its kind venture forming an embedded coalition comprised of USBP, OFO, U.S. Immigration and Customs Enforcement and Removal Operations, and HHS ORR to expeditiously transfer subjects out of CBP custody and into U.S. Immigration and Customs Enforcement and Removal Operations or HHS ORR custody. MCC collaborates across agencies and components to assist sectors and field offices in prioritizing the expeditious transfer of individuals, including UCs, from CBP custody. Specific to UCs, MCC has successfully reduced the TICs through targeted initiatives to actively monitor and share information across multiple agencies. The mission is accomplished by proactively reviewing UCs in custody nationwide, strengthening communication channels, advancing monitoring systems, and engaging stakeholders in prioritizing processing, placement, and transportation. MCC monitors all TICs, including UC TICs, and resolves issues in real time as they occur. During FY 2024 to date, MCC has monitored over 1.8 million encounters, including nearly 84,000 encounters with UCs.

Efforts to Expedite Processing and Manage Facility Capacities

USBP continues to take steps to expedite processing times and address capacity issues. For example, the RGV Detention Removal Transportation Team facilitated the ground transportation of more than 203,832 subjects out of custody from the beginning of FY 2024 to mid-April 2024.

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USBP continues to employ and develop resources to increase efficiencies and to reduce TIC, including utilizing virtual processing, USBP Processing Coordinators, and contracted data entry personnel.

USBP began implementing multiple ongoing strategies and solutions in FY 2022 to decompress sectors most impacted by high numbers of individuals in custody, such as lateral detainee transfers, via ground and air transport, to sectors with capacity to accept custody of the individuals. These actions have continued until today; USBP continues to assess all sectors and remains committed to making operational decisions based on the individual needs of each sector in real time, as appropriate.

RGV and El Paso Settlement Agreement

My JCD team and I continue to work closely with all relevant CBP stakeholders to ensure implementation of the Agreement, to include providing required care, supplies, exhibits, notices, videos, and posters.

Updates on Usage of Holding Facilities in RGV and EPT Sectors

Both the El Paso Hardened Facility and the Donna SSF have been designated as Juvenile Priority Facilities (JPFs), in EPT and RGV sectors respectively, and hold both UCs and FMU children. At various times, EPT Sector may temporarily hold children at the El Paso SSF, a facility adjacent to the El Paso Hardened Facility, while awaiting same day transport. As of the writing of this report, neither Ursula CPC nor El Paso MCPC routinely hold children. Individual stations in RGV and EPT may hold children temporarily before transfer to a JPF.

Juvenile Care Monitor Observation Site Visit

Throughout this year, CBP has been meeting with Dr. Paul Wise, Ms. Andrea Ordin, and Dr. Nancy Wang to share the protocols that form the basis of my reporting. During my April 29, 2024, visit to the El Paso Hardened Facility, which also included the JCD team, Dr. Wise, Ms. Ordin, Dr. Wang, and representatives from USBP Headquarters and OCMO were able to join us to observe how JCD conducts a site visit.

Agreement Requirements for RGV and EPT Sectors

JCD reviewed facilities in RGV and EPT to determine compliance with the requirements specified under the Agreement. JCD reviewed the El Paso Hardened Facility and Santa Teresa Station twice. In addition, we reviewed three other facilities, once each, including Donna SSF, Ysleta Station, and Fort Brown Station.

During the reviews, both JPFs were substantially compliant with the Agreement; however, they required improvements in the documentation of actions performed and frequency in which amenities were provided. Additionally, as mentioned below, in some facilities, JCD documented needed improvements in the provision of certain services and supplies. Tables 8 and 9 record the Agreement requirements and whether the facilities were meeting the requirements on the date of the JCD visit. For answers with an asterisk, explanations are given in the notes.

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Table 8. Agreement Requirements RGV and EPT Sectors

Agreement Requirements	RGV/EPT Juvenile Priority Facilities			RGV/EPT Non-Juvenile Priority Facilities			
	El Paso Hardened Facility	Donna SSF	El Paso Hardened Facility	Santa Teresa Station	Santa Teresa Station	Ysleta Station	Fort Brown Station
	1-9-2024	2-13-2024	4-30-2024	8-16-2023	1-10-2024	1-11-2024	2-14-2024
Maintain the required temperature of 69°F - 83°F.	Yes	Yes	Yes	Yes	No	Yes	Yes
Post the Agreement amenities poster. ¹	Yes*	Yes	Yes	Yes	Yes*	Yes*	Yes
Show the video with Exhibit 3 information. Personnel will record that this notice was provided orally. ²	Yes*	Yes	Yes*	No	No*	No*	No*
Provide disposable baby bottles.	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Provide formula mixing instructions in English and Spanish. ³	Yes	Yes	Yes	No	Yes	No	Yes*
Provide dental hygiene daily and upon request. ⁴	No	Yes	Yes	No	No*	No*	Yes
Provide hygiene kits when requested and with showers. ⁵	Yes	Yes	Yes	No*	No*	No*	Yes
Provide mechanism to dry hands.	Yes	Yes	Yes	No	Yes	Yes	No
Provide beanies to children under five.	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Provide cloth swaddling blankets to children under two.	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Notes

1. Poster was not always in plain view of the holding areas, but generally was hanging in the facility.
2. At the El Paso Hardened Facility the video was being shown, however logs did not always record that it was shown. At non-JPFs, the video was not typically shown as all children were transferred to a JPF where it was shown.
3. Ysleta Station placed the poster while JCD was onsite. Fort Brown Station had a different poster with only diagrams, which the facility replaced with a Spanish/English diagramed poster.
4. Children were typically held at non-JPF locations for less than 8 hours. During the Jan 2024 El Paso Hardened Facility visit, dental hygiene was typically only provided with showers and was not available inside the pods for security reasons.
5. Children were not typically offered a shower at non-JPF locations; supplies were available upon request.

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Table 9. Agreement Requirements RGV and EPT Sectors

Agreement Requirements	RGV/EPT Juvenile Priority Facilities			RGV/EPT Non-Juvenile Priority Facilities			
	El Paso Hardened Facility	Donna SSF	El Paso Hardened Facility	Santa Teresa Station	Santa Teresa Station	Ysleta Station	Fort Brown Station
	1-9-2024	2-13-2024	4-30-2024	8-16-2023	1-10-2024	1-11-2024	2-14-2024
Make reasonable efforts to dim lights between 2200-0600. ⁶	Yes	Yes	Yes	No	No	No	Yes*
Provide a supplemental health interview every five days for children held over 72 hours. ⁷	No	No	Yes	N/A	N/A	N/A	N/A
Provide the “ <i>Flores</i> Mediation Agreement” orientation training to CBP employees. ⁸	Yes*	Yes*	Yes*	Yes	No	No	No
Provide showers as soon as possible after arrival and 48 hours thereafter. ⁹	No	No	Yes	N/A - Non-Juvenile Priority Facilities			
Make reasonable efforts to provide televisions in pods.	Yes	Yes	Yes				
Place clocks in locations visible from each pod/cell if space is available.	Yes	Yes	Yes				
Provide infant changing stations, where space available.	Yes	Yes	Yes				
Make effort to provide child appropriate "furniture" in areas holding tender age children.	Yes	Yes	Yes				
Make effort to provide age-appropriate toys/activities. ¹⁰	Yes*	Yes	Yes				
Transfer children to Juvenile Priority Facility within 24 hours of arrival or 48 hours in exigent circumstances.	N/A - Juvenile Priority Facilities			Yes	Yes	Yes	Yes

Notes

6. Children were not typically held overnight at non-JPF locations.

7. At El Paso Hardened Facility, children had the interview on day 6 rather than day 5. At Donna SSF, the medical contractor was not recording the supplemental health interview. Children were not held at non-JPFs for more than a few hours.

8. Not all personnel had completed the training by the time of JCD's site visit.

9. Facilities did not record showers; however, JCD was assured children received them at JPF locations.

10. Toys and activities were only available to UCs during our Jan 2024 site visit but were available to all children in April 2024.

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Dimming Lights at Night

Three of the five RGV/EPT facilities JCD inspected this year, including El Paso Hardened Facility, Donna SSF, and Fort Brown Station, dimmed the lights at night.¹⁶ Santa Teresa Station and Ysleta Station did not. Typically, the SSFs have dimmer switches, while the stations do not due to their construction and operation. However, “dimming” the lights does not always involve a dimmer switch. Sometimes, a few lights are simply turned off; for example, if there are four rows of lights, two rows may be turned off. Facilities, whether stations or SSFs, do not turn off lights completely throughout the detention areas for safety reasons.

In our recent inspections, JCD noticed that often the pods were consistently dimmed during the day since agents noticed that people preferred to nap during the day. Therefore, the pods may have the same level of lighting during both day and night; however, this level of lighting is low compared to turning on all the lights. Whenever JCD asks about the dimmer switches during an inspection, staff readily offer to demonstrate their use.



At JCD’s February 2024 inspection of Donna SSF, this is an example of the dimmer switches located in the back of the pod.

In the following two photos, the pod is dimmed during our visit around noon on February 13, 2024.

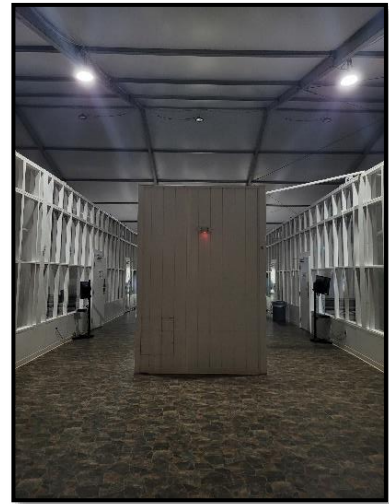


¹⁶ We inspected 7 facilities, but since the El Paso Hardened Facility and Santa Teresa Station were inspected twice, we referenced five facilities here.

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The three photos below were taken at Donna SSF on June 6, 2024, to highlight the differences between the lights at Donna SSF fully on, dimmed, and off.



Posters

When JCD visited Donna SSF in February 2024, we observed Exhibit 1 *Flores* Amenities posters displayed in plain view of all areas holding children. During two other visits to Donna SSF since the Agreement was implemented in 2022, Exhibit 1 *Flores* Amenities posters were displayed in plain view of all areas holding children. JCD found that during two of three inspections at the El Paso JPFs, posters were not displayed in plain view of all areas holding children.¹⁷ During 14 inspections conducted in RGV and EPT Sectors since the implementation of the Agreement, we observed five instances where the Exhibit 1 *Flores* Amenities posters were not displayed.¹⁸

When JCD visited the El Paso Hardened Facility in January 2024, Exhibit 1 *Flores* Amenities posters were not displayed in plain view of all areas holding children. JCD addressed this with management who ensured JCD the posters would be displayed in plain view of all areas holding children. During the following visit in April 2024, JCD observed Exhibit 1 *Flores* Amenities posters displayed in plain view of all areas holding children. The posters were placed above the televisions in rooms holding children. In addition, clocks displaying the date and time were placed near the televisions.

Pictures 1 and 2 below correspond to two different pods at Donna SSF. Both pictures show posters hanging on the center tower. In addition, the clock on the top of the tower is visible. Picture 3, taken at the El Paso Hardened Facility, shows how the facility displays the required posters.

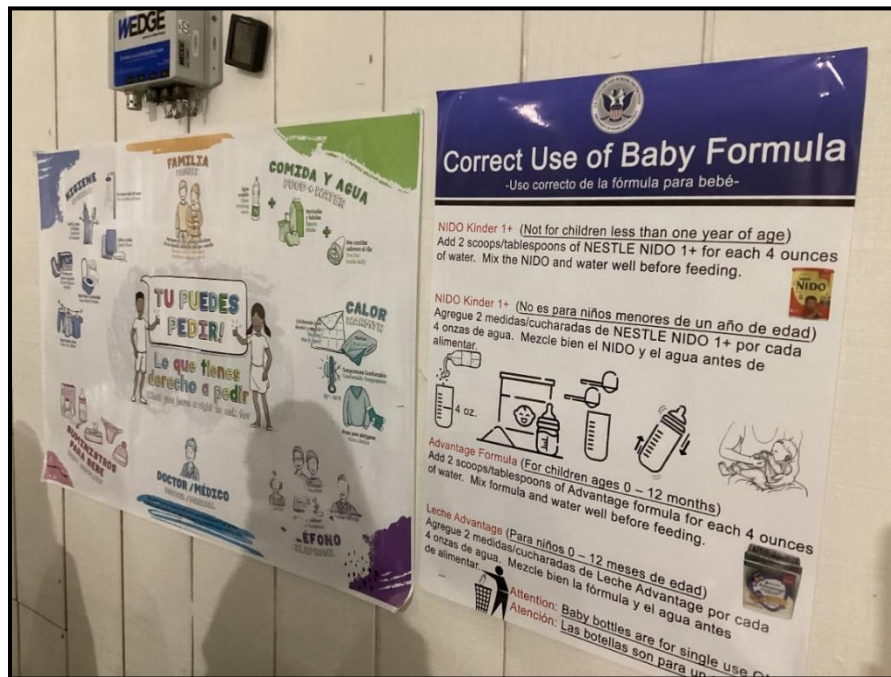
¹⁷ El Paso JPF inspections include El Paso MCPC in October 2022, the El Paso Hardened Facility in January 2024, and the El Paso Hardened Facility in April 2024.

¹⁸ El Paso MCPC in October 2022. El Paso SSF in April 2023. The El Paso Hardened Facility, Santa Teresa Station, and Ysleta Station in January 2024. The latter three facilities stated in their Corrective Action Plans that posters were ordered/printed and placed in the cells.

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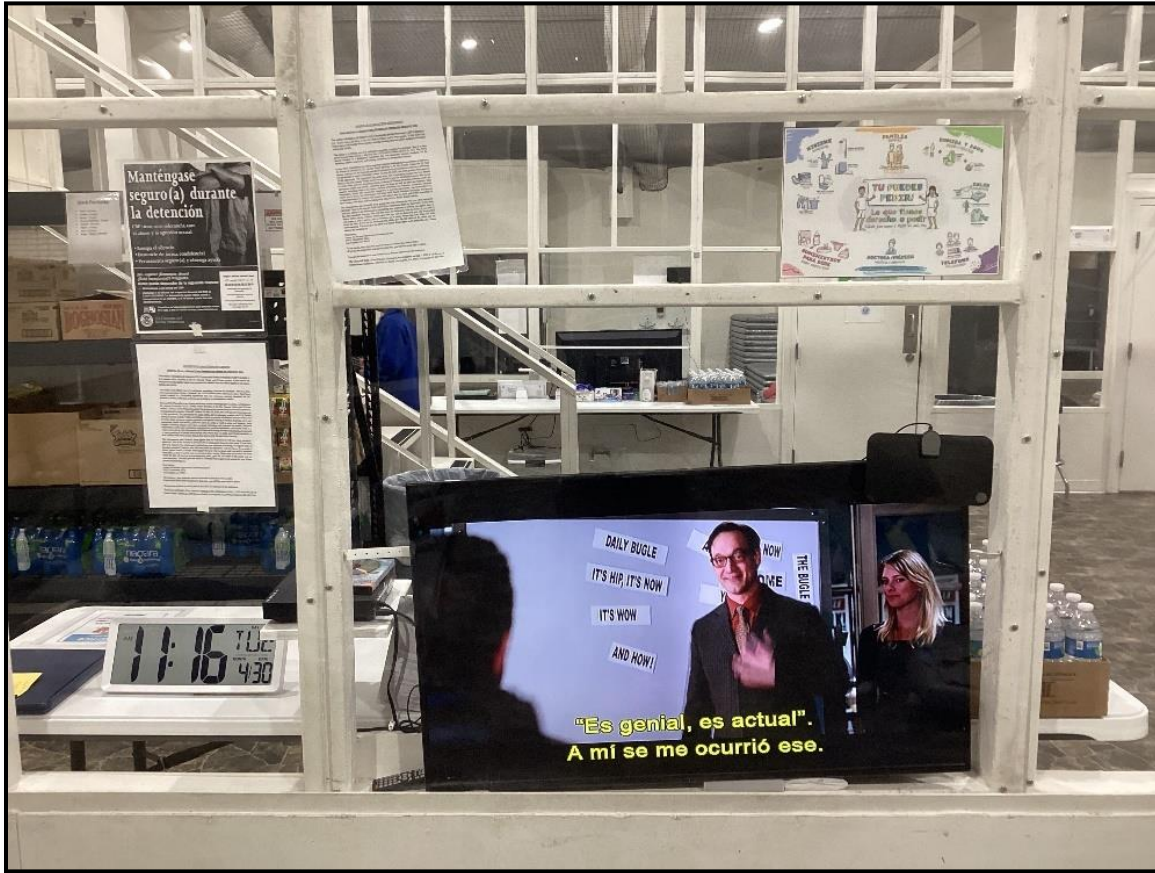


Picture 1: Donna SSF February 2024



Picture 2: Donna SSF February 2024

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Picture 3. The El Paso Hardened Facility April 2024

Tender-Age Food

CBP worked with the Juvenile Care Monitor to create appropriate menu items for tender-aged children, two to five years old. By May 7, 2024, the meal contract available for the non-SSF locations within seven USBP Sectors¹⁹ included four categories of meals: Tender-Age (2-5), Children (6-11), Older Children (12-17) and Adults (18+). Except for the SSFs, the contracts were available to all facilities within each Sector. The contracts are not mandatory for use. These menu items include options such as fruit readily available for snacks and meals, turkey and cheese cubes for tender-age children's lunches, and hamburgers for children's dinners. Currently the SSFs still have the three categories of meals: Tender-Age Children (under age 13), Older Children (13-17), and adults (18+) which meets the U.S. Department of Agriculture nutritional standards.

All facilities had baby formula available, and 5 facilities provided baby cereal for toddlers. Additionally, at 21 of 22 inspections, baby food, such as purees, was available.

¹⁹ RGV, EPT, Tucson, Yuma, El Centro, San Diego, and Miami Sectors.

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Flores Compliance Inspections

Since my last annual report dated July 1, 2023, I have continued to review the conditions of custody for children across the SWB. The following sections provide an overview of the inspections JCD conducted during the reporting period, including locations visited, conditions of custody, and common findings.

CBP Facilities Inspected

JCD conducted 23 inspections of CBP facilities located in nine USBP sectors and three OFO field offices from June 2023 through May 2024.²⁰ The El Paso Hardened Facility, Santa Teresa Station, Laredo SSF, and Eagle Pass North SSF were inspected twice. These 23 inspections included 5 visits that I, or my Deputy, personally conducted. The inspection process allowed me to maintain awareness of the conditions of custody for children encountered at and between the ports of entry (POEs) across the SWB, generally focusing on those sectors/field offices with the highest number of children encountered.

JCD conducts unannounced visits to SWB locations on an annual basis. They are coordinated by the team members to ensure information pertaining to the visit is not disclosed; the facilities do not know we are coming until we arrive. During this reporting year, my Deputy and JCD conducted unannounced visits at 3 EPT facilities in January 2024. Since 2018, my Deputy or I conducted 33 unannounced visits at facilities across the SWB. We did not observe differences in CBP operations during announced versus unannounced visits. Instead, we observed similarities with the data and medical recordation, supplies, and safe and sanitary conditions.

In addition to the facility inspections listed in Table 10 and Table 11, JCD toured the El Paso Hardened Facility in August 2023 to observe the newly built areas for UCs and FMUs prior to an inspection visit. The El Paso Hardened Facility is located adjacent to the El Paso SSF. Since this was a tour and not an inspection, I did not determine if the facility was compliant with the FSA and the Agreement. However, based on what I saw during the tour, I was confident that when JCD returned to inspect the El Paso Hardened Facility, it would be substantially compliant. All UC pods had caregivers and child-friendly decorations. All pods holding children had a clock that displayed the date and time. FMU pods had caregivers and porters stationed outside the pods to provide snacks, baby formula, and diapers upon request. The “porter” position, a newer position at SSFs, supplemented the caregiver staff. During the tour, caregivers were not assigned to each FMU pod; instead, they oversaw more than one pod. However, caregivers were readily available to assist the families. While a caregiver was not assigned to the isolation area holding FMUs (with chicken pox), JCD was informed that caregivers were typically assigned to that area, but JCD had arrived during a shift change. It appeared that all children had access to functional toilets, sinks, snacks, meals, and drinkable water, that there was proper ventilation, and that the temperature was within the required range. When JCD returned in January 2024 to complete a full inspection, the El Paso Hardened Facility was substantially compliant with the FSA and Agreement.

²⁰ The outdoor congregation areas (OCAs) in San Diego are not considered “facilities” for this report.

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Table 10. CBP OFO Port of Entry JCD Inspections

Field Office	Location	Date of Inspection	Type of Inspection
Laredo	Laredo	7/20/2023	Site Visit
El Paso	El Paso	8/17/2023	Site Visit
San Diego	San Ysidro	10/19/2023	Site Visit

Table 11. CBP USBP JCD Inspections

Sector	Location	Facility Type	Date of Inspection	Type of Inspection
Big Bend	Big Bend Sector CPC	CPC	8/15/2023	Site Visit
Del Rio	Eagle Pass North SSF	SSF	7/18/2023	Site Visit
	Eagle Pass North SSF	SSF	5/7/2024	Site Visit
El Centro	El Centro Station	Station	10/18/2023	Site Visit
El Paso	Santa Teresa Station	Station	8/16/2023	Site Visit
	El Paso Hardened Facility	SSF	1/9/2024	Unannounced
	Santa Teresa Station	Station	1/10/2024	Unannounced
	Ysleta Station	Station	1/11/2024	Unannounced
	El Paso Hardened Facility	SSF	4/29/2024	Site Visit
Laredo	Laredo Processing Center	SSF	7/19/2023	Site Visit
	Laredo Processing Center	SSF	5/8/2024	Site Visit
RGV	Donna SSF	SSF	2/13/2024	Site Visit
	Fort Brown Station	Station	2/14/2024	Site Visit
San Diego	San Diego SSF (SDC-SAD)	SSF	3/19/2024	Site Visit
	Imperial Beach Station	Station	3/20/2024	Site Visit
	Campo Station	Station	3/21/2024	Site Visit
	San Diego Sector OCAs	N/A	5/1/2024	Announced
Tucson	Nogales CPC	CPC	11/14/2023	Site Visit
	Tucson SSF	SSF	11/15/2023	Site Visit
Yuma	Yuma CPC	SSF	10/17/2023	Site Visit

Joint Inspections

I am pleased to report that JCD and OCMO continued to conduct several joint inspections, with each group focusing on its area of expertise. JCD and OCMO personnel also jointly toured the El Paso Hardened Facility. This collaborative effort facilitated interaction between the field, JCD, and OCMO, and focused on proactively addressing common issues, such as data recordation, medical documentation, and caregiver responsibilities. These joint inspections allowed both JCD and OCMO to further enhance inspection processes.

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San Diego Sector

On May 1, 2024, my team and I visited the San Diego Sector in response to the April 3, 2024, Court Order regarding children congregating in outdoor areas and compliance with the FSA. A more detailed accounting of this visit can be found in my interim report filed on May 10, 2024. During this reporting period, in March 2024, JCD inspected three facilities in San Diego Sector: San Diego Area Detention facility (the SSF in San Diego); Imperial Beach Station; and Campo Station. As referenced in the appendix, all facilities were substantially compliant with the FSA. While Imperial Beach Station did not have showers available, children were provided with body wipes if requested. Also, the station could transport migrants to nearby facilities for showers if necessary. We found that the Imperial Beach and Campo stations did not have soap, hand sanitizer, and paper towels available inside the cells; however, the items were available upon request. At all three facilities, JCD observed toys or movies available upon request for children. In locations where a camera appeared to be monitoring a restroom area, USBP monitors digitally blacked out the toilet area, ensuring privacy. All three facilities were within the required temperature range, and all had a supply of warm clothing available upon request.

Safe and Sanitary Conditions

CBP facilities generally provided access to meals and snacks, clean drinking water, functional toilets and sinks, adequate temperature control and ventilation, cots/mats and blankets, shower options, clean clothing, hygiene products, adequate supervision to protect minors from others, emergency medical care if needed, and safe and sanitary hold rooms.

At many facilities (due to operational concerns), amenities are only available upon request. Most facilities have posters up showing the amenities available for request; in RGV and EPT sectors, the Exhibit 1 Amenities poster is displayed in plain view of areas holding children. In RGV and EPT sectors, children are also shown the Exhibit 3 video upon intake. In other sectors, children are shown a slightly different version of the video without the specific Agreement requirements, but which still mentions the ability to request amenities. In addition, caregivers usually inform children of the amenities that they can request. JCD always recommends facilities ensure that children are informed of available amenities multiple times during the day.

The following is a summary of the results of my inspections. For more specific information about the conditions at each facility, please refer to Appendix I.

In general, all facilities provided access to functioning toilets and functioning sinks. Children had access to functioning toilets and sinks at all facilities, but minor issues identified pertained to some toilets and sinks not being fully operational and restroom areas needing additional supplies. Seven inspections showed issues with sinks, mainly due to low water pressure, minor leaks, or either the cold or hot water not working, but all children had access to functioning sinks. In three inspections, one of the toilets in a hold room was not functioning; other toilets in the hold rooms were functioning. JCD found that during 10 inspections, locations did not have soap or hand sanitizer in the hold rooms, but they were available upon request. Three inspections did not have toilet paper in a hold room, but it was provided immediately upon discovery. Eight inspections did not have a way for children to dry their hands in cells holding children, including two located in EPT sector. JCD informed management about the minor issues pertaining to toilets and sinks

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identified during the inspection. The facilities addressed these issues while JCD was onsite by replacing supplies or creating work orders for repairs that could not be immediately addressed.

All facilities had blankets available for children and their families. Twelve inspections also found swaddling blankets, including all 7 inspections in RGV and EPT sectors. JCD observed that at 20 of 22 inspections, facilities provided mats or cots. During both inspections, the facility that did not provide mats or cots was normally transferring UCs and families to a larger facility, usually within 8-hours. JCD addressed the lack of mats or cots with management. The facility currently has a few mats available onsite if needed.

At 21 of 22 inspected facilities, the hold rooms were within the required temperature range. At one EPT facility, temperatures in two cells were below the required EPT minimum temperature of 69°F and registered at 66°F. Warm clothing was available upon request at this location, and, according to the facility, the temperature issue was resolved the same day that JCD conducted the inspection.

In all but 2 of 22 inspections, facilities had showers onsite. One of the two facilities without showers was a POE that generally held families and UCs for only two to five hours. The other facility without showers generally held UCs for less than 48 hours and had body wipes available. Also, if necessary, the facility would contact nearby facilities to provide showers to UCs.

JCD also inspected the availability of hygiene supplies, including toothbrushes/toothpaste, feminine hygiene products, diapers, and baby wipes. At all 22 inspections, the facilities had a supply of these items. In addition, at all 22 inspections, the facilities had adequate amounts of children's clothing in assorted sizes to provide as needed.

One facility had a cell with dirty air vents restricting air flow, but all other facilities had functioning and adequate ventilation. JCD informed management of the issue while onsite, and management submitted a work ticket to have the vent cleaned promptly. All inspected facilities had contracted janitorial crews. While onsite, JCD often observed janitorial crews cleaning bathrooms and hold rooms, including disinfecting cells and cleaning mats. The janitorial crews were integral to maintaining sanitary conditions at the facilities, and JCD generally found the facilities to be sanitary, with the few exceptions mentioned above. JCD discussed janitorial issues while onsite for management to address in a timely manner.

Other Amenities

All facilities had contract medical personnel onsite to address acute and emergent medical needs. As described in my previous reports, children in CBP custody receive health intake interviews and medical assessments to identify issues requiring further medical attention. For urgent medical needs and care, contract medical personnel refer children to local health systems.

Each facility JCD inspected provided access to clean drinking water. We observed no issues with children and families having regular access to or requesting drinking water. Facilities with water jugs had ample supplies of cups for migrants to have an individual cup for drinking water.

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All inspected facilities provided access to regular meals and snacks, including formula and baby bottles, with some facilities also providing baby cereal, baby food, and fruit or vegetable puree. The snacks provided varied, but typically JCD observed juice, apples, chips, and granola bars. As mentioned above, in some facilities, snacks were freely accessible for children to take at any time while at other facilities, snacks were provided at certain times or were available upon request. JCD identified expired food at seven inspections. In each of these cases, JCD notified the facility, and the expired food was immediately discarded. In addition, JCD recommended that these facilities clearly mark expiration dates and rotate through the food items before the expiration dates.

Nine inspected facilities had recreation areas. The recreation areas were used when operationally feasible and weather permitted. JCD observed there were toys or televisions available for entertainment at 20 of the 22 inspections. The two facilities, one located in each RGV and EPT sectors, that did not have toys did not typically hold children for more than a short time before transferring them to a JPF.

Caregivers were onsite at the two JPFs: the El Paso Hardened Facility and Donna SSF. Caregivers were also onsite at 10 other inspected facilities. At five of the SSFs, the caregivers supervised and assisted in the care of UCs and FMUs. This was unlike previous years, where caregivers were primarily stationed as Shower Monitors, and were responsible for monitoring and managing the entire shower process for individuals in custody and for providing supervision for tender-age UCs. Currently, while caregivers assist the Shower Monitors at SSFs, their primary duty consists of supervising and caring for UCs and FMUs. In nine facilities, caregivers were also stationed at intake to assist children and families during their time in custody. During JCD's inspections at the El Paso Hardened Facility, caregivers were stationed outside FMU holding areas, assisting with snacks, meals, and other requests. They were also stationed inside the holding areas for UCs directly interacting with the children. In addition, caregivers were stationed in the shower area to assist UCs and families. The caregivers not only assisted with the children in custody, but also provided a reassuring adult presence for the UCs. Caregivers assisted with families in caring for infants and provided additional clothing to UCs and FMUs. The caregivers also referred suspected medical and mental health issues to USBP.

Interviews with Children and/or Parents/Legal Guardians

During this reporting period, JCD continued to interview children and/or parents/legal guardians who volunteered to speak with us. My primary goal in instructing JCD to conduct interviews was to understand the experiences of children in CBP custody. Two non-uniform, non-law enforcement members of my team, including a native Spanish speaker, exclusively conducted all interviews to reduce any potential uneasiness that children and/or parents might have felt about discussing personnel or issues that occurred while in custody. Together, the JCD interviewers possessed the skills needed to build rapport with the children and/or the parents/legal guardians and were able to cover a broad range of topics related to the FSA and the Agreement.

JCD conducted 28 interviews at 13 locations. We did not conduct interviews at Laredo POE, Big Bend Sector CPC East, the August 2023 inspection of Santa Teresa Station, El Paso POE, San Ysidro POE, Ysleta Station, Fort Brown Station, Campo Station, and Laredo Processing Center, mainly due to children not being onsite when JCD visited or arriving after JCD had initiated its

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inspection process. Overall, children or their parents/legal guardians reported having functional toilets, functional sinks, adequate ventilation, receiving hot meals and snacks, having drinking water always available, receiving a mat and blanket(s), and seeing medical personnel. They also reported that CBP personnel treated them with respect. In places where lights were able to be dimmed, children generally reported that the facility dimmed lights at night, which contributed to their ability to sleep.

A common theme during interviews was that the children and/or their parents did not know what the caregivers' role was or what they could provide (such as sweatshirts or snacks). In a few interviews, children and/or parents stated that while they had been provided with food, the food was not their children's personal preference and the children had been eating mostly fruit and snacks instead of meals.

The most common actions JCD took after completing interviews were to provide a sweatshirt, request family interaction if operationally feasible, or request that the interviewees be seen by medical personnel. One example of JCD action following an interview occurred when a teenage mother was concerned about her infant child not eating well. JCD informed caregivers and management of the potential medical issue and the mother and child were seen by medical professionals to check for dehydration or other medical conditions. If a child or parent/legal guardian provided information that required additional clarification or was inconsistent with our understanding of the facility's processes or CBP's standards of professionalism, JCD immediately discussed it with management and/or the appropriate staff for clarification or resolution. For example, if a mother indicated that her child had been prescribed medication but that the medication had not been administered, JCD followed up with medical personnel to determine the status of the child medical needs, actions taken, and whether additional actions were needed. These examples emphasize that clear communication from CBP personnel and caregivers to children is a necessity, and this concept is repeated throughout JCD's discussions with facility management during inspection out-briefs and during FIT sessions. The interviews JCD conducted lent additional credence to CBP being substantially compliant with the FSA and Agreement.

Reoccurring Challenges

The inspections generally demonstrated that CBP facilities were equipped to meet the FSA requirements, and when issues related to care and custody were discovered, the facilities acted to the best of their ability to address the situation. However, data recordation continued to be the area that JCD most frequently identified as a challenge across the SWB. JCD also found that some facilities were not familiar with certain CBP medical policies related to trauma-informed care.

Prior to an inspection, JCD selects a sample of 5 to 10 children in custody at the facilities to be inspected and reviews their custodial records in the USBP e3 Detention Module (e3DM) or in the OFO Unified Secondary (USEC) systems. JCD selects an additional sample of 5 to 10 children at the facilities to be inspected who are receiving medical care and reviews their custodial records in e3DM or USEC, as well as in the Electronic Medical Records maintained by the medical contractor. During an inspection, JCD interviews personnel familiar with entering custodial actions into the electronic systems, supervisory personnel over holding areas, personnel familiar with the medical processes, and contract medical personnel. When possible, JCD also observes

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children throughout the facility at various stages of processing, including during intake and outtake, as well as in medical and holding areas. During this reporting period, JCD conducted a data review of custodial actions recorded and medical capabilities during 22 inspections.

The data reviews frequently revealed inconsistent data entry for custodial actions that were routinely completed for children in custody, including meals provided and cot/mat and/or blanket provided. The most common data issue, found in 18 of 22 inspections, was the recordation of welfare checks by inspected facilities; the main challenge involved welfare checks recorded at infrequent intervals. As an example, a child's log may show welfare checks recorded every two to three hours followed by a period of six hours without any welfare checks recorded. Despite gaps in recorded welfare checks, JCD observed that children were under near constant supervision. Most facilities had an agent, medical personnel, caregiver, or contracted security either directly supervising the children or observing them through video monitoring. Thus, this issue pertained to the documentation of the work CBP was already doing to ensure adequate supervision to protect minors from others.

The next highest data entry areas needing improvement were the documentation of meals or bedding provided. JCD checked whether the facilities recorded at least a breakfast, lunch, and dinner each day that a child was in custody. While JCD was onsite, they strived to observe at least one meal being served to understand how the facility provided meals to children in custody. Based on onsite interviews and JCD observations, I am assured that children are receiving regular meals. However, during 13 inspections, JCD identified that meals were not properly recorded in the system of record. In addition, during 14 inspections facilities were not recording bedding, such as a mat and blanket, per CBP policy. Except for one station, all facilities had mats, and JCD verified they were provided, but not accurately recorded. At the station that did not provide mats, Mylar blankets were provided, and children were held for a short period of time before being transferred to a JPF.

In addition, the FSA requires that, when children are encountered with family members, CBP should strive to hold them in the same room, or, if not operationally feasible, provide contact between the children and their family members. In these cases, agents and officers should document the reason for holding the children and family members apart from each other and whether reasonable efforts were made to provide interaction between the children and the family member(s). Each facility may hold family members in a different manner based on demographics and the capabilities of the facilities. As an example, some facilities may need to hold all teenage boys together, even those who arrived with a family member, while other facilities can hold a teenage boy together with his entire family. At five inspections, custody logs did not document the reason for holding family members and children apart or if any efforts were made to let them interact. At two inspections, facilities did document family interaction but not the reason for holding the individuals apart.

The reoccurring issues identified during the medical capabilities reviews involved the completion of medical forms, the documentation of medical actions in the CBP systems of record, and the awareness of relevant medical policy by CBP employees. Twenty inspections found incorrect documentation related to health intake interviews (CBP Form 2500), usually related to not recording that a child was referred for a medical assessment. In addition, 18 inspections found

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incorrect or missing summaries of medical care (CBP Form 2501) provided while in custody. The CBP Form 2501 might not have included all conditions treated while in CBP custody or all medications. Moreover, during 12 inspections, CBP personnel were unaware of the CBP policy requiring the provision of a written summary of medical care to people with medical issues identified or addressed while in CBP custody when they are transferred or released from CBP custody. During 19 inspections, the facility or the contracted medical personnel did not record medication doses given as required or prescriptions in the Electronic Medical Records. These issues mainly pertain to the documentation of the medical actions CBP took rather than to the actions themselves. Through onsite interviews of CBP and medical contract personnel, I am assured that CBP is providing required medical care for the children in our custody. During each inspection, JCD and OCMO continue to educate the field on the importance of proper documentation to verify that CBP is facilitating continuity of care.

In addition, at 14 inspections, facilities did not provide child-friendly decoration in accordance with CBP's Trauma-Informed Care Memorandum. Facilities strived to provide the decoration after being made aware of the requirement. During our April 2024 inspection, the El Paso Hardened Facility had child-friendly posters anywhere children might be from the processing and intake areas to the medical unit. Other facilities had stickers or chalkboards available in rooms commonly holding children.

The JCD team continues to message the importance of clear communication. At 10 inspections, management staff was unaware of the requirement to provide a daily orientation message to UCs. During interviews, children often stated that they had not received the daily message or that they did not know what amenities were available to them. However, at Donna SSF, caregivers had a printed script that listed the amenities children could request and they stated that they read the script to children at the beginning of their shifts. JCD continues to stress the importance of providing clear information/instructions to children and the need for CBP and caregiver personnel to reiterate the daily message to all children. The importance of clear communication is also stressed at our Town Halls and during the FIT modules.

Addressing Challenges

I believe that my position requires not only identifying areas for improvement or potential instances of noncompliance, but also facilitating solutions. As such, my team and I regularly communicate with various levels of management at CBP Headquarters and the field.

While onsite, JCD addresses any issues identified with the agents/officers facilitating the inspection. In addition, at the end of each inspection, my team meets with the personnel participating in the inspections and appropriate facility management to discuss the inspection. During this meeting, JCD discusses the results of the inspection, including any issues identified, and offers workable solutions based on their experience and observations across the SWB. Further, JCD facilitates contacts and communication between facilities to ensure best practices can become consistent and uniform throughout CBP. Following the inspection, the JCD Director contacts the corresponding sector or field office management to inform them of the inspection results. JCD also informs the program managers at USBP and OFO Headquarters regarding the inspections. This process ensures that personnel at the station, POE, sector, field office, and at headquarters levels are aware of the inspections and inspection results.

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In addition, JCD is now requiring inspected facilities to provide written documentation of corrective actions taken to address issues JCD identified onsite. Within 45 days of JCD's site visit, facilities are expected to provide a corrective action plan stating how they corrected the issues identified during JCD's inspection. Examples of corrective actions include placing amenities posters; providing clocks, child-friendly furniture, decorations, and recreational activities; reminding agents of policies; and offering training.

During this review period, my JCD team and I hosted two Town Halls for CBP personnel involved in the care and custody of children. The September 14, 2023, attended by 258 CBP personnel featured speakers from USBP, OFO, OCMO, and the Office of Chief Counsel to clarify CBP policy and legal requirements related to children in CBP holding facilities, compliance with the FSA, and to provide updates on JCD inspections. This specific Town Hall focused on medical policy updates; during the Town Hall, USBP and OFO program managers reiterated the importance of properly recording custodial and medical actions in the systems of record. In February 2024, JCD conducted another Town Hall that was attended by 228 CBP personnel. The February 2024 Town Hall introduced the JCD FIT to the field, which is explained in more detailed in the next paragraph. In addition, USBP and OFO clarified new CBP policy requirements related to children in CBP holding facilities. The Town Halls represent the culmination of an integrated strategy that uses the results of JCD's inspections to identify areas of concern and, in turn, promote learning opportunities to ensure compliance and enhance processes in the field. By sharing best practices, answering questions, and disseminating clear guidance, CBP promotes FSA compliance across the SWB, supporting the well-being of children in its custody.

During the fall of 2023, JCD responded to a USBP field request for assistance on how to further enhance its activities related to the care and custody of children and the FSA. Within 30 days of initiating collaboration and integration of ideas with USBP, JCD developed and deployed FIT- a proactive training program designed to improve the understanding of and compliance with the FSA, TEDS, and other CBP policies related to the care of children in CBP custody. During FIT, JCD walks through the facility, discusses the application of FSA requirements within the facility, shares best practices from throughout the field, and provides operationally informed recommendations for compliance. JCD piloted FIT in two sectors and invited personnel who participated to speak about the experience with FIT during the February 2024 virtual Town Hall. In March 2024, JCD presented the FIT at San Ysidro POE and in June 2024, JCD provided 10 training modules in the RGV Sector reaching 144 employees from multiple CBP facilities in RGV Sector.

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Conclusion

Despite the 38% increase in children and family encounters in our care in this FY to date, CBP continues to be compliant with the FSA and the Agreement. The facilities generally provided regular access to meals and snacks, access to drinking water, functioning toilets, functioning sinks, and access to emergency medical assistance if needed. In addition, holding areas had adequate temperature control and ventilation. The two Juvenile Priority Facilities, in addition to meeting the FSA requirements, generally met the Agreement requirements of: increased temperature range, Agreement amenities poster, disposable baby bottles, dental hygiene products, hygiene kits with showers, beanies and cloth swaddling blankets, and reasonable efforts to provide televisions in pods. When JCD, my Deputy or I, identified issues, management acknowledged the issues and took swift corrective action.

JCD and I continue to address and bolster CBP's compliance with the FSA by responding to requests from the field. This includes the new FIT program to train CBP personnel on the requirements of the FSA, the Agreement requirements, and CBP policies pertaining to the care of children in custody. JCD and I continue to host bi-annual Town Halls to reiterate CBP policies, as well as introduce new information, such as the FIT opportunity. Finally, my team and I take measures to be accessible and visit the field to address emerging concerns.

As the CBP Juvenile Coordinator, I will continue monitoring conditions of custody and supporting CBP efforts to transfer children out of custody as expeditiously as possible. I welcome the ongoing coordination and feedback from the Court-appointed Juvenile Care Monitor.

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APPENDIX I

After Table 12 and 13, is an explanation for the items in the chart with a “No” or asterisk.

Table 12. CBP OFO Facility Compliance

Location	Date of Inspection	Access To Food/ Snacks	Access to Clean Drinking Water	Access to Functioning Toilets/Sinks	Cot/Mat and Blanket Available	Adequate Temperature & Ventilation	Shower Facilities Onsite	Hand Soap or Sanitizer in Hold Room	Contract Medical Personnel Onsite
El Paso Field Office									
El Paso POE	8/17/2023	Yes	Yes	Yes	Yes*	Yes	Yes	Yes*	Yes
Laredo Field Office									
Laredo POE	7/20/2023	Yes	Yes	Yes	Yes	Yes	No	Yes*	Yes
San Diego Field Office									
San Ysidro POE	10/19/2023	Yes	Yes	Yes*	Yes	Yes	Yes*	Yes*	Yes

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Explanation

Below is an explanation for the items in Tables 12 and 13 with a “No” or an asterisk. While CBP remains substantially compliant, there is always room for improvement. While onsite, JCD discussed these issues with the inspected facilities. Except for locations without shower facilities, most items were addressed either while JCD was onsite (ex: filing a maintenance request) or soon thereafter (ex: purchasing baby bottles).

El Paso POE (8-17-2023)

Cots, mats, and Mylar blankets were available onsite; however, mats were not routinely handed out as children were on site for less than 24 hours. Soap and hand sanitizer were not available in each of the holding areas; however, the items were available upon request.

Laredo POE (7-20-2023)

The facility did not have shower facilities onsite, but children were held at the facility for less than 24 hours. Soap and hand sanitizer were not available in each of the holding areas; however, the items were available upon request.

San Ysidro POE (10-19-2023)

The sinks and 1 of the 6 shower stalls had low water pressure; however, they were functional. Soap and hand sanitizer were not available inside the holding areas; however, the items were available upon request.

Big Bend Sector CPC East (8-15-2023)

Soap, hand sanitizer, and paper towels were not available in each of the holding areas; however, the items were available upon request.

El Centro Station (10-18-2023)

The sinks in cell #2 and cell #5 had very low water pressure, but other functional sinks were available. Soap and hand sanitizer were not available in each of the holding areas; however, the items were available upon request.

Santa Teresa Station (8-16-2023)

Milk was not available; however, it was promptly ordered for next day delivery. While formula was available, formula mixing instructions were not posted. Facility posted the required signage. Children were able to wash their hands; however, the cold-water faucet in cell #6 was not working. Mats were available in storage but were not placed in the holding areas at the time of the inspection. Soap and/or hand sanitizer and feminine hygiene products were not available in the holding areas; however, the items were available upon request.

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El Paso Hardened Facility (01-09-2024)

Two toddler formula containers and one infant formula container were found to be expired as of November 2023. The items were immediately discarded.

Santa Teresa Station (01-10-2024)

One formula container was found to be expired as of November 2023 and was immediately discarded. Children were able to wash their hands; however, the cold-water faucet in cell #6 was not working. Mats were available in storage but were not placed in the holding areas at the time of the inspection as juveniles were only held at the station for less than 12 hours. Temperatures in cells #4 & #6 were below the allowable limit at 66°F. Facility input a work order and assured JCD the temperature was fixed the same day. Soap and/or hand sanitizer and feminine hygiene products were not available in the holding areas; however, the items were available upon request.

Ysleta Station (01-11-2024)

Two baby food boxes were found to be expired as of September 2023 and November 2023 and were immediately discarded. Functional sinks were available; however, in cell #5 the hot-water faucet was not working. Cells had no soap and/or hand sanitizer available within the holding areas.

Laredo SSF (7-19-2023)

Pod 4 Unit 2 had 1 of 3 toilets clogged, but other functional toilets were available. In Pod 4 Unit 3, there was a minor leak under the sink area, but functional sinks were available.

Laredo SSF (05-08-2024)

One toilet did not flush in Pod 1 Unit 1. All 4 sinks were not functioning and there was a leak behind the wall; however, Deployed Resources was aware and was already working to resolve the issue.

Imperial Beach Station (03-20-2024)

Showers were not available onsite; however, the facility could transport detainees to two other facilities for showers, as needed. Body wipes were also available for migrant use. Soap was not available inside the hold rooms; however, children had access to soap or hand sanitizer upon request.

Campo Station (03-21-2024)

All toilets were functional; however, one cell had no toilet paper during the inspection, and one had a very low amount of toilet paper available based on the number of migrants in the hold room at the time of the inspection. Toilet paper was immediately provided upon discovery.

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Soap was not available inside the hold rooms; however, children had access to hand sanitizer upon request.

Fort Brown Station (02-14-2024)

Seven juice boxes were found to be expired and were immediately discarded.

Nogales CPC (11-14-2023)

Three NIDO milk containers were found to be expired and were immediately discarded. Facility personnel were instructed to carefully inspect food products for expiration and to rotate stock to use the oldest product first. Hold room 2E did not have toilet paper; however, it was immediately replenished. Metal bunk beds posed a safety hazard. Facility began researching the process for removal of the metal bunk beds with sharp corners and short bed rail guards.

Tucson SSF (11-15-2023)

Tucson SSF had a low supply of disposable, single use baby bottles. Baby bottles were not readily accessible in areas holding family units. Facility placed an order for baby bottles and emphasized that personnel order bottles well in advance the supply running out.