



Annual Report Assessing CBP Efforts to Prevent, Detect, and Respond to Sexual Abuse in Holding Facilities

Fiscal Year 2016



U.S. Customs and
Border Protection



Table of Contents

1. Purpose.....	1
2. About CBP.....	1
3. Background.....	1
4. Definitions.....	3
5. Accomplishments.....	4
6. Allegation Types.....	6
7. Summary of Allegations in CBP Holding Facilities.....	6
8. Investigative Findings and Corrective Actions.....	7
9. Data Collection and Comparison.....	8
10. The Way Forward.....	9
11. Conclusion.....	11
12. Reporting Sexual Abuse/Assault and Agency Contact Information.....	11
13. Figures and Tables.....	13
Figure 1. FY 2016 Allegations by Office in CBP Holding Facilities.....	13
Figure 2. FY 2016 Allegations by Subject in USBP Holding Facilities.....	13
Figure 3. FY 2016 Allegations by Subject in OFO Holding Facilities.....	14
Figure 4. FY 2016 Allegations by Type in CBP Holding Facilities.....	14
Figure 5. FY 2016 Alleged Victims by Age in CBP Holding Facilities.....	15
Figure 6. FY 2016 Alleged Victims by Sex (Gender) in CBP Holding Facilities.....	15
Figure 7. FY 2016 Investigative Findings by Office in CBP Holding Facilities.....	16
Figure 8. Investigative Findings by Fiscal Year in CBP Holding Facilities.....	16
Figure 9. Allegations by Location and Fiscal Year in USBP Holding Facilities.....	17
Figure 10. Allegations by Location and Fiscal Year in OFO Holding Facilities.....	17



Message from the Commissioner

On behalf of U.S. Customs and Border Protection (CBP), I am pleased to present the FY 2016 *Annual Report Assessing CBP Efforts to Prevent, Detect, and Respond to Sexual Abuse in Holding Facilities*. This report, prepared pursuant to Subpart B of the Department of Homeland Security's (DHS) *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (6 CFR § 115.188), addresses CBP's efforts to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training.



CBP has a zero tolerance policy prohibiting all forms of sexual abuse and assault of individuals in custody, which for purposes of Subpart B of the DHS Standards, includes mandating zero tolerance toward all forms of sexual abuse in our temporary holding facilities and outlining the agency's approach to preventing, detecting, and responding to such conduct. CBP is committed to the enforcement of its policy to provide effective safeguards against sexual abuse and assault for individuals detained in CBP holding facilities.

This report covers the time period from October 1, 2015, to September 30, 2016, and is based on data collected from records maintained by the Office of Professional Responsibility.

CBP will continue to incorporate best practices and reforms to enhance efforts to prevent, detect, and respond to sexual abuse and assault in our holding facilities. I extend my gratitude to CBP's frontline personnel whose professionalism and commitment to integrity, service, and vigilance ensures the safety of individuals in our custody.

Kevin K. McAleenan
Commissioner



1. Purpose

As part of the Department of Homeland Security (DHS) *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (the “DHS Standards”), U.S. Customs and Border Protection (CBP) collects and reviews data on all allegations of sexual abuse and assault in holding facilities to facilitate the detection of possible patterns and help prevent future incidents in holding facilities. The DHS Standards also require the preparation of an annual report outlining the agency’s findings and corrective actions.

This report documents the agency’s progress in preventing, detecting, and responding to sexual abuse and assault in CBP holding facilities during FY 2016. In accordance with the DHS Standards, this report also provides a comparison of the current year’s data with those from prior years.

2. About CBP

As the United States’ first unified border entity, CBP takes a comprehensive approach to border control and management, combining customs, immigration, border security, and agricultural protection into one coordinated and supportive activity. As CBP executes its mission to secure the Nation’s border, the men and women of CBP recognize their responsibility to maintain the safety of individuals in CBP temporary holding facilities. During FY 2016, on a typical day the Office of Field Operations inspected 1,069,266 passengers and pedestrians at ports of entry.¹ During FY 2016, U.S. Border Patrol apprehended 415,816 individuals attempting to enter the country illegally² including 59,757 unaccompanied children³ and 77,857 family units nationwide.⁴ Additionally, the Office of Field Operations arrested 8,129 individuals wanted for serious crimes and identified 274,821 inadmissible individuals at ports of entry.⁵

3. Background

On September 4, 2003, President George W. Bush signed into law the Prison Rape Elimination Act of 2003 (P.L. 108-79) ([PREA](#)). The goal of PREA is to prioritize and facilitate the development of procedures to prevent sexual abuse and assault in detention and holding facilities in the United States. PREA required the U.S. Attorney General to promulgate regulations that adopt national standards for the detection, prevention, reduction, and punishment of prison rape.

¹ CBP Stats and Summaries: On a Typical Day in Fiscal Year 2016 (<https://www.cbp.gov/newsroom/stats/typical-day-fy2016>).

² CBP Enforcement Statistics FY 2018 (<https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>)

³ U.S. Border Patrol Total Unaccompanied Alien Children Apprehensions by Month (FY 2010 – FY 2017) (<https://www.cbp.gov/sites/default/files/assets/documents/2018-Jul/BP%20Total%20Monthly%20UACs%20by%20Sector%2C%20FY10-FY17.pdf>).

⁴ U.S. Border Patrol Total Family Unit Apprehensions by Month (FY 2013 – FY 2017) (<https://www.cbp.gov/newsroom/media-resources/stats?title=Border+Patrol>).

⁵ CBP Enforcement Statistics FY 2018.



On May 17, 2012, President Obama issued a Memorandum for the Heads of Executive Departments and Agencies titled *Implementing the Prison Rape Elimination Act*, which directed all agencies with Federal confinement facilities that were not subject to DOJ's regulations to propose rules or procedures necessary to satisfy the requirements of PREA. On June 20, 2012, the Department of Justice (DOJ) published the National Standards to Prevent, Detect, and Respond to Prison Rape (DOJ [Regulations](#)). The DOJ regulations do not govern DHS facilities; DOJ recognized that each federal agency responsible for incarcerating or detaining individuals "is accountable for, and has statutory authority to regulate the operations of its own facilities and, therefore, is best positioned to determine how to implement the Federal laws and rules that govern its own operations, the conduct of its own employees, and the safety of persons in its custody." Additionally, the Violence Against Women Reauthorization Act of 2013 directed DHS to establish national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in its facilities (P.L. 113-4) ([VAWA](#)).

On March 7, 2014, DHS issued its PREA regulations. DHS promulgated its regulations in three separate subparts - Subparts A, B, and C. Subpart A of the DHS Regulations apply to U.S. Immigration and Customs Enforcement immigration detention facilities. 6 C.F.R. § 115.10. Subpart B of the DHS regulations apply to all DHS "holding facilities."⁶ 6 C.F.R. § 115.110. And Subpart C of the DHS regulations provide for external auditing of compliance with the applicable set of standards and establish processes for taking corrective action if a particular facility does not meet the relevant standard. 6 C.F.R. §§ 115.201 – 205. This Report specifically focuses on CBP's implementation of *Subpart B—Standards for DHS Holding Facilities Coverage*, as all CBP impacted facilities are "holding facilities" under the DHS Regulations.

The DHS regulations (6 C.F.R. §115.186-115.188(c)) require that CBP "review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: (1) Identifying problem areas; (2) Taking corrective action on an ongoing basis; and (3) Preparing an annual report of its findings and corrective actions for the agency as a whole." 6 C.F.R. § 115.188 (a-b). Furthermore, the regulations require that "such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in preventing, detecting, and responding to sexual abuse." 6 C.F.R. § 115.188(b). Finally, the regulations require that CBP's "report shall be ... made readily available to the public..." 6 C.F.R. § 115.188(c). .

CBP is committed to safety and security in all of its holding facilities. As such, CBP utilizes a multidisciplinary team approach to ensure effective procedures for preventing, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse and/or assault against individuals in CBP holding facilities.

⁶ A facility that contains holding cells, cell blocks, or other secure enclosures that are under the control of CBP and primarily used for the short-term confinement of individuals who have recently been detained, or are being transferred to or from a court, jail, prison, other agency, or elsewhere in CBP.



4. Definitions

Sexual Abuse of a Detainee by Another Detainee is defined as:

Sexual abuse of a detainee by another detainee includes any of the following acts by one or more detainees of the facility in which the detainee is housed who, by force, coercion, or intimidation, or if the victim did not consent or was unable to consent or refuse, engages in or attempts to engage in:

- a. Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
- b. Contact between the mouth and the penis, vulva, or anus;
- c. Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object;
- d. Touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person; or
- e. Threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to engage in a sexual act

See 6 C.F.R. § 115.6.

Sexual Abuse of a Detainee by a Staff Member, Contractor, or Volunteer is defined as:

Sexual abuse of a detainee by a staff member, contractor, or volunteer includes any of the following acts, if engaged in by one or more staff members, volunteers, or contract personnel who, with or without the consent of the detainee, engages in or attempts to engage in:

- a. Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
- b. Contact between the mouth and the penis, vulva, or anus;
- c. Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- d. Intentional touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;



- e. Threats, intimidation, harassment, indecent, profane or abusive language, or other actions or communications, aimed at coercing or pressuring a detainee to engage in a sexual act;
- f. Repeated verbal statements or comments of a sexual nature to a detainee;
- g. Any display of his or her uncovered genitalia, buttocks, or breast in the presence of a detainee; or
- h. Voyeurism

See 6 C.F.R. § 115.6.

Voyeurism is defined as:

Inappropriate visual surveillance of a detainee for reasons unrelated to official duties. Where not conducted for the reasons relating to official duties, the following are examples of voyeurism: staring at a detainee who is using a toilet in his or her cell to perform bodily functions; requiring a detainee to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a detainee's naked body or of a detainee performing bodily functions.

See 6 C.F.R. § 115.6.

All detainee sexual abuse and assault investigations are closed with a finding of whether the allegation giving rise to the investigation is *substantiated*, *unsubstantiated*, or *unfounded*.

- A *substantiated* allegation denotes an allegation that was investigated and determined to have occurred.
- An *unsubstantiated* allegation denotes an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- An *unfounded* allegation denotes an allegation that was investigated and determined not to have occurred

See 6 C.F.R. § 115.5. To determine whether an allegation is substantiated, CBP does not use any standard higher than a preponderance of the evidence standard. See 6 C.F.R. § 115.172.

5. Accomplishments

Since the implementation of the DHS Standards in May 2014, CBP has taken measures to enhance its sexual abuse and assault prevention and response efforts. Specifically, during FY 2016, CBP completed the following actions or initiatives, which include, but are not limited to, the requirements set forth in the DHS Standards:



- a. Detainee Reporting: CBP developed and released an updated sexual abuse and assault reporting poster/flyer for display in holding facilities. This poster informs individuals in CBP custody in multiple languages about CBP's zero tolerance of sexual abuse and assault as well as identifies methods and provides contact information, including text telephone for the hearing impaired, for reporting an allegation to a CBP official or to the DHS Office of Inspector General (OIG), which is a public office that is not part of CBP.
- b. Formal Plan: CBP developed a formal plan that included a detailed listing of the activities, timeframes, targeted dates, and deliverables to enhance CBP activities undertaken pursuant to Subparts B and C of the DHS Standards.
- c. Budget: CBP prepared a draft budget for CBP's implementation of the DHS Standards. The draft budget identified the cost of implementing the DHS Standards, to include mechanisms for improved monitoring of CBP's execution, program and staffing plan, and external audits.
- d. National Standards on Transport, Escort, Detention, and Search: In October 2015, CBP published National Standards on Transport, Escort, Detention, and Search ([TEDS](#)) that set forth nationwide standards governing CBP's interactions with detained individuals including provisions related to sexual abuse and assault prevention and response. The TEDS standards have been implemented in all CBP facilities.
- e. Detainee Assessment for Risk of Victimization and Abusiveness: The Office of Field Operations promulgated a detainee assessment form for use prior to detention that requires consideration of the information available at that time, to include the detainee's concerns about his or her physical safety, to assess the risk of the detainee for being sexually abused by other detainees or sexually abusive toward other detainees. Completed forms are archived electronically.
- f. External Auditing Contract: CBP entered into a joint third-party audit contract with U.S. Immigration and Customs Enforcement to secure third-party auditors to audit CBP holding facilities for compliance with the DHS Standards.
- g. Employee Training: To fulfill their responsibilities under the DHS Standards, training was developed and administered to employees who could have contact with detainees temporarily held by CBP (i.e., CBP Officers, Agriculture Specialists, Border Patrol Agents, Aviation Enforcement Agents, Marine Interdiction Agents, Pilots, and Special Agents), via a course titled "Preventing and Addressing Sexual Abuse and Assault of Individuals in CBP Custody" and accessed in the DHS Performance and Learning Management System.
- h. Specialized Training: The Office of Professional Responsibility conducted training on sexual abuse and effective cross-agency coordination for Special Agents and Supervisory Special Agents who conduct investigations into allegations of sexual abuse at holding facilities.



6. Allegation Types

CBP distinguishes among the types of abuse allegations in CBP holding facilities strictly for data collection and reporting purposes to facilitate CBP's ability to detect possible patterns that develop with respect allegations in its holding facilities. CBP has borrowed from the definitions used by the DOJ in the economic impact analysis of the DOJ regulations for the limited purpose of compiling this data.

- *Nonconsensual sexual acts* involve unwanted contact with another detainee or with a staff member, contractor, or volunteer that involved oral, anal, or vaginal penetration, or fondling genitalia with hands
- *Abusive sexual contacts (detainee-on-detainee only)* are unwanted contacts with another detainee that involved touching of the detainee's buttocks, thighs, penis, breasts, or vulva in a sexual way
- *Staff sexual misconduct/touching only* refers to contacts by a staff member that involved touching of the detainee's buttocks, thighs, penis, breasts, or vulva in a sexual way, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- *Sex with staff* describes sexual relationships between an employee, contractor, or volunteer and a detainee. Such relationships are inherently coercive by nature and CBP recognizes that an individual in CBP custody cannot consent to sex with staff
- *Voyeurism* refers to inappropriate visual surveillance of an individual in CBP custody for reasons unrelated to official duties
- *Harassment* describes any behavior that meets the agency definition of sexual abuse and assault that does not involve physical contact, to include "indecent exposure," and not to include voyeurism

The most common types of reported allegations are captured in the following section.

7. Summary of Allegations in CBP Holding Facilities

All allegation information is drawn from data contained in electronic investigative case files.

During FY 2016, CBP detained more than 698,000 individuals in its holding facilities of which **sixteen (16) detainees (or .00002292%) reported an allegation of sexual assault or abuse.** Three (3) of the sixteen (16) total allegations (or 18.8%) involved multiple alleged victims (i.e., two (2) alleged victims per allegation) for a total of nineteen (19) alleged victims.

- a. Nine (9) reported allegations involved incidents that allegedly took place while the detainee was in U.S. Border Patrol (USBP) custody. Of those nine (9) reported allegations, four (4) (or 44.4%) involved alleged contractor-on-detainee sexual assault or



abuse, three (3) (or 33.3%) involved alleged staff-on-detainee sexual assault or abuse, and two (2) (or 22.2%) involved alleged detainee-on-detainee sexual assault or abuse.

- b. Seven (7) reported allegations involved incidents that allegedly took place while the detainee was in Office of Field Operations (OFO) custody. Of those seven (7) reported allegations, five (5) (or 71.4%) involved alleged staff-on-detainee sexual assault or abuse and two (2) (or 28.6%) involved alleged detainee-on-detainee sexual assault or abuse.
- c. Of the total sixteen (16) allegations of sexual abuse and assault reported, eight (8) allegations (or 50.0%) involved staff-on-detainee alleged sexual assault or abuse, four (4) allegations (or 25.0%) involved contractor-on-detainee alleged sexual assault or abuse, and four (4) allegations (or 25.0%) involved detainee-on-detainee sexual abuse or assault.
 - Alleged *staff sexual misconduct/touching* accounted for seven (7) staff-on-detainee allegations and three (3) contractor-on-detainee allegations reported and investigated. Typically, *staff sexual misconduct/touching only* allegations occurred in the course of pat down searches where the agent/officer was alleged to not have followed pat-down policy and/or procedures. All of the investigations are closed and one (1) staff-on-detainee allegation (or 10%) resulted in a substantiated finding.
 - Alleged *abusive sexual contacts (detainee-on-detainee only)* accounted for three (3) allegations reported and investigated. One (1) of the three (3) investigations (or 33.3%) resulted in a substantiated finding.
- d. Nine (9) of the nineteen (19) total alleged victims were juveniles (under the age of 18 years). Ten (10) of the nineteen (19) total alleged victims were adults (18 years and above).
- e. Twelve (12) of the nineteen (19) total alleged victims were female. Seven (7) of the nineteen (19) total alleged victims were male.
- f. One (1) of the sixteen (16) total allegations was reported by two (2) individuals who self-identified as transgender.
- g. Ten (10) of the sixteen (16) total allegations were reported by a third-party; such as a health care professional, attorney, family member, Non-Government Organization, or other agency.

8. Investigative Findings and Corrective Actions

Of the sixteen (16) total allegations, two (2) allegations (or 12.5%) were substantiated, one which involved detainee-on-detainee contact and one which involved staff-on-detainee contact; seven (7) allegations (or 43.8%) were unsubstantiated, and seven (7) allegations (or 43.8%) were unfounded.

Details of the substantiated allegations and corrective actions are provided in the table below.



Substantiated Allegations of Sexual Abuse				
Date	Location	Summary	Victims	Corrective Action
May 2016	San Diego Field Office (Contracted Facility)	Two (2) detainees reported sexual abuse by three (3) detainees	Honduras Transgender Female 24 yrs. of age	Separation of the alleged detainee victims and abusers and transfer to a CBP managed facility for supervision and monitoring
			Mexico Transgender Female 26 yrs. of age	
July 2016	Big Bend Sector, Presidio Station	Two (2) detainees reported sexual abuse by one (1) staff member	Guatemala Female 17 yrs. of age	Installation of video cameras in and outside the processing building and in hold rooms
			Guatemala Female 19 yrs. of age	

9. Data Collection and Comparison

The regulations require that CBP’s annual report include “a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the agency’s progress in preventing, detecting, and responding to sexual abuse” 6 CFR § 115.188(b). In the prior fiscal year, CBP’s correction actions focused on ensuring completion of remaining actions to achieve full implementation of the DHS Standards. CBP continued those efforts in FY 2016 in addition to implementing the correction actions outlined in Section 8 (Investigative Findings and Corrective Actions) above to help prevent future incidents of sexual abuse.

The chart below provides the total number of sexual abuse allegations by year since CBP implemented PREA in 2014. Based on the data, no discernible patterns were identified. Two (2) substantiated cases involved detainee-on-detainee (D-D) contact and one (1) substantiated case involved staff-on-detainee (S-D) contact. The three (3) substantiated allegations occurred at two different CBP holding facilities and one (1) contract facility. CBP will continue to maintain a proactive approach to reviewing sexual abuse allegations for possible patterns to detect and prevent sexual abuse.



	FY2014	FY2015	FY2016
Allegations	8	8	16
OFO	0	3	7
USBP	8	5	9
Substantiated	1 (D-D)	0	1 (D-D) 1 (S-D)
Unsubstantiated	4	5	7
Unfounded	3	3	7
Open	0	0	0

The CBP Prevention of Sexual Abuse (PSA) coordinator, in coordination with the Office of Professional Responsibility, has aggregated and assessed data on FY 2016 allegations of sexual abuse and assault by office, subject and type, alleged victim demographics, location, and investigative findings to facilitate the agency’s efforts to detect possible patterns and help prevent future incidents of sexual abuse. The PSA coordinator also reviewed the data collected and aggregated in order to assess and improve the effectiveness of CBP’s sexual abuse prevention, detection, and response policies, practices, and training. The PSA coordinator’s analysis of the data collected and aggregated is detailed in Section 13 (Figures and Tables) on pages 13 – 17 below and Section 10 (The Way Forward) on pages 9 – 10 below describes steps forward based on the results of the analysis and CBP’s sexual abuse and assault prevention and response efforts to date.

Reporting of Sexual Abuse and Assault

The data suggests that alleged victims often self-report to various persons; family, non-government organizations, and other agencies after they have left CBP custody.

CBP maintains a safe and secure environment for those held in custody. CBP has zero tolerance policy information and reporting options posted in highly visible areas in holding facilities to ensure that individuals in CBP custody are aware of multiple options to confidentially and, if desired, anonymously, report allegations of sexual abuse and assault, retaliation for reporting sexual abuse and/or assault, or staff neglect or violations of responsibilities that may have contributed to such incidents. Third parties not connected to a detainee may also report these allegations confidentially, and if desired, anonymously, both verbally and in writing. CBP procedures for reporting alleged sexual abuse and/or assault are also posted on the [CBP public website](#).

10. The Way Forward

CBP’s commitment to improving its efforts to prevent, detect, and respond to sexual abuse and assault is enduring and includes ongoing work to incorporate best practices and reforms that



improve the ability to address allegations of sexual abuse and/or assault in CBP holding facilities. At CBP, sexual abuse and assault is not tolerated, condoned, or ignored.

The CBP PSA coordinator will continue to immediately receive and monitor all incoming allegations of sexual abuse and assault within CBP's holding facilities, in coordination with the Office of Professional Responsibility Sexual Abuse and Assault Investigator (SAAI) coordinator. Additionally, the PSA coordinator reviews allegations at the conclusion of every investigation of sexual abuse and works diligently with CBP offices to identify improvements to policy, procedures, and/or training.

Based on the results of this year's analysis and CBP efforts to date, the CBP PSA coordinator anticipates focusing on the following items during the subsequent fiscal year:

- Issue an agency-wide policy to coordinate efforts to implement the DHS Standards among all offices and personnel.
- Implement a formal plan that includes a detailed listing of the activities, timeframes, targeted dates, and deliverables designed to enhance CBP activities undertaken pursuant to the DHS Standards.
- Develop a standardized sexual abuse incident review report format to document completion of reviews and make recommendations regarding whether the allegation or investigation indicates that a change in policy or practice could better prevent, detect, or respond to sexual abuse.
- Disseminate knowledge management materials regarding CBP's obligation to prevent, detect, and respond to sexual abuse and assault to all CBP employees and contractors who may interact with individuals detained in CBP holding facilities.
- Launch a "[Prison Rape Elimination Act](#)" public-facing webpage with information about the agency's zero tolerance policy of sexual abuse and assault, CBP's process for reporting allegations of sexual abuse and assault, and its investigative protocols to ensure that each allegation of sexual abuse or assault is investigated by CBP or referred to an appropriate investigative authority.
- Provide refresher information and training every two (2) years to CBP personnel who may have contact with detainees temporarily held by CBP.
- Continue assessment of compliance with the DHS Standards by performing annual self-assessment and reporting through CBP's Self-Inspection program and taking corrective action, when warranted.
- Develop an instrument that is coordinated with the DHS Office for Civil Rights and Civil Liberties to conduct thorough audits of holding facilities as required by the DHS Standards.



- Ensure that facilities that are required to undergo audits are audited by entities or individuals outside the agency and outside of DHS with relevant audit experience.

11. Conclusion

CBP's activities described in this report demonstrate CBP's commitment to the continued improvement of its efforts to prevent, detect, and respond to sexual abuse and assault in holding facilities, while ensuring compliance with the regulations. CBP has made clear to CBP personnel that the agency's success depends on a responsive and sustained approach to all issues that affect individuals in CBP holding facilities. This includes allegations of sexual abuse and assault. CBP will continue to work closely with our partners across the federal government and to consider the feedback provided by community representatives to improve CBP's ability to prevent, detect, and respond to sexual abuse and/or assault and to build upon the solid progress we have made.

12. Reporting Sexual Abuse/Assault and Agency Contact Information

Individuals in CBP holding facilities or third parties who believe that a holding facility detainee has been subjected to any form of sexual abuse or assault may confidentially and, if desired, anonymously report these incidents to:

- Department of Homeland Security, Office of the Inspector General (OIG) by:
 - Calling 1-800-323-8603 or 1-844-889-4357 (TTY);
 - Faxing to (202) 254-4297;
 - Accessing the online DHS OIG Complaint/Allegation Form at <https://hotline.oig.dhs.gov/hotline/hotline.php>; or
 - Writing to DHS OIG/MAIL STOP 0305, Attn: Office of Inspector General - Hotline, 245 Murray Lane SW, Washington, D.C., 20528-0305.
- Joint Intake Center by:
 - Calling the Joint Intake Center Hotline at 1-877-2INTAKE;
 - Faxing to (202) 344-3390;
 - Sending an e-mail message to Joint.Intake@dhs.gov; or
 - Writing to the Joint Intake Center at P.O. Box 14475, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20044.

Individuals in CBP holding facilities or third parties who believe that a holding facility detainee has been subjected to any form of sexual abuse or assault may also file a civil rights and civil liberties complaint with:

- Department of Homeland Security, Office for Civil Rights and Civil Liberties (CRCL) by:
 - Submitting a Complaint at <http://www.dhs.gov/xlibrary/assets/crcl-complaint-submission-form-english.pdf>.



- Sending an email message to CRCL@dhs.gov;
- Faxing to (202) 401-4708; or
- Writing to U.S. Department of Homeland Security, Office for CRCL, Compliance Branch, 245 Murray Lane, SW, Building 410, Mail Stop #0190, Washington, DC 20528.



13. Figures and Tables

Figure 1. FY 2016 Allegations by Office in CBP Holding Facilities

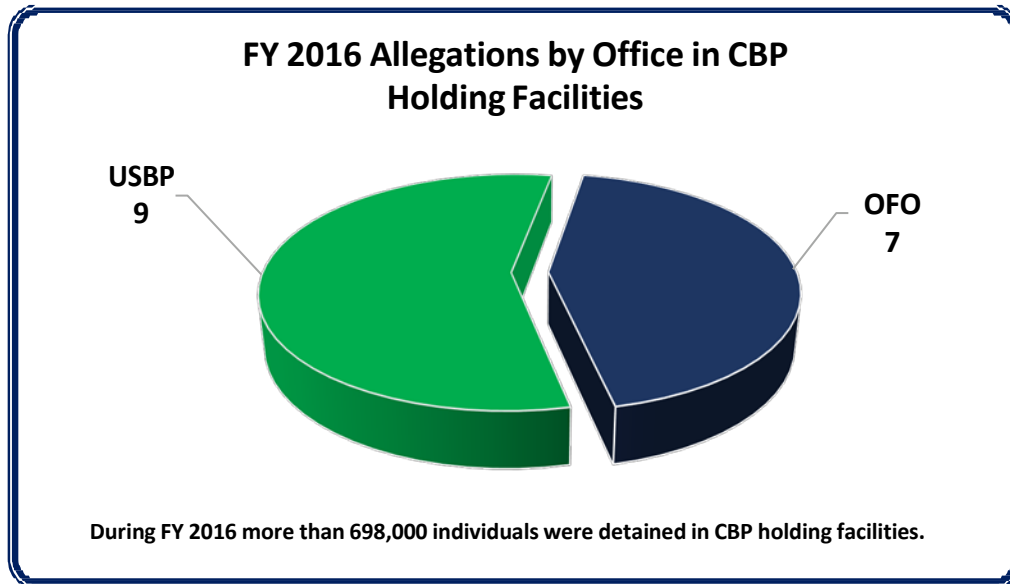


Figure 2. FY 2016 Allegations by Subject in USBP Holding Facilities

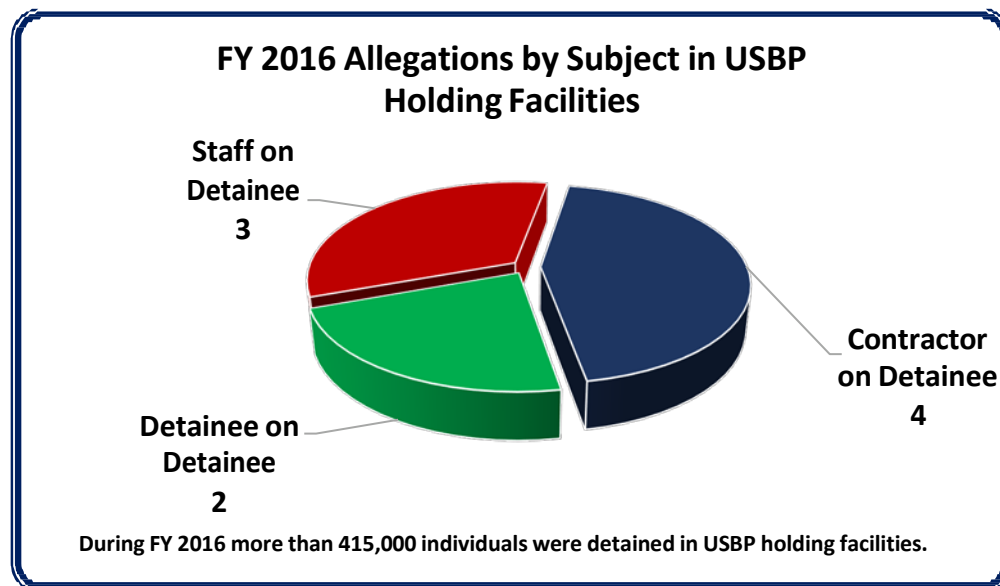




Figure 3. FY 2016 Allegations by Subject in OFO Holding Facilities

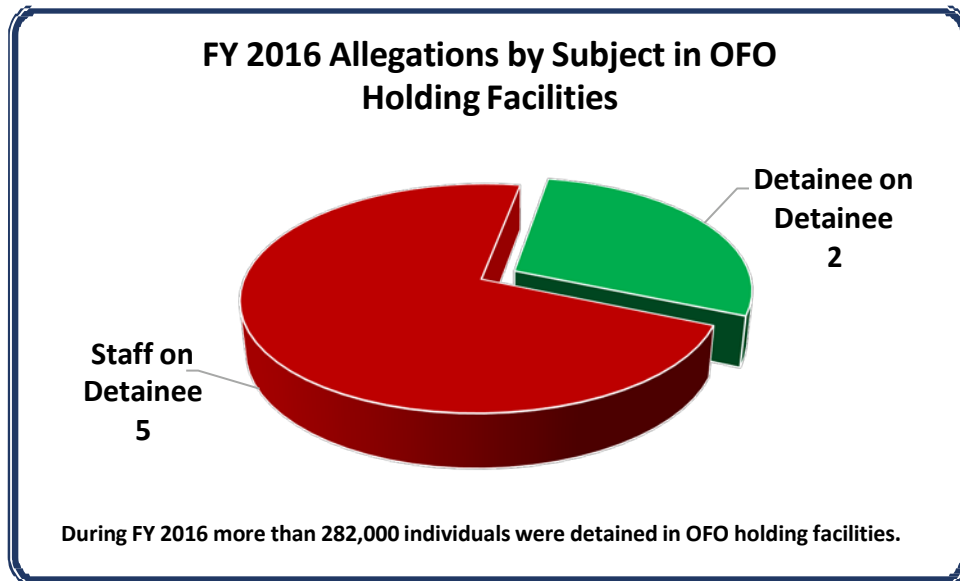


Figure 4. FY 2016 Allegations by Type in CBP Holding Facilities

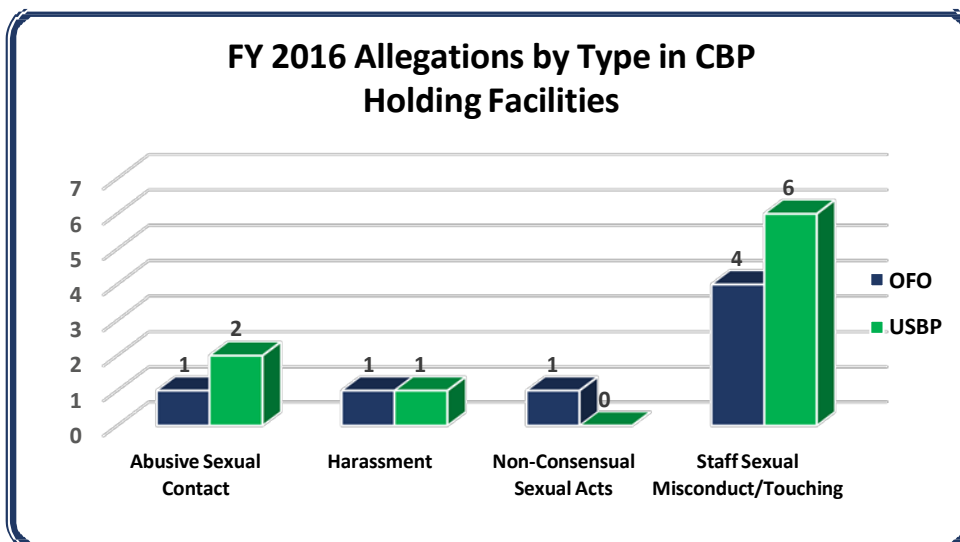




Figure 5. FY 2016 Alleged Victims by Age in CBP Holding Facilities

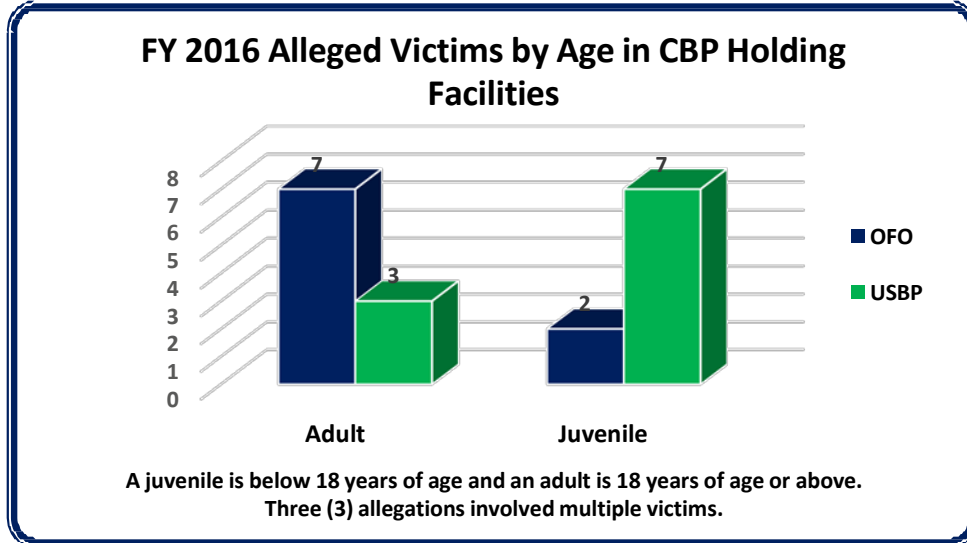


Figure 6. FY 2016 Alleged Victims by Sex (Gender) in CBP Holding Facilities

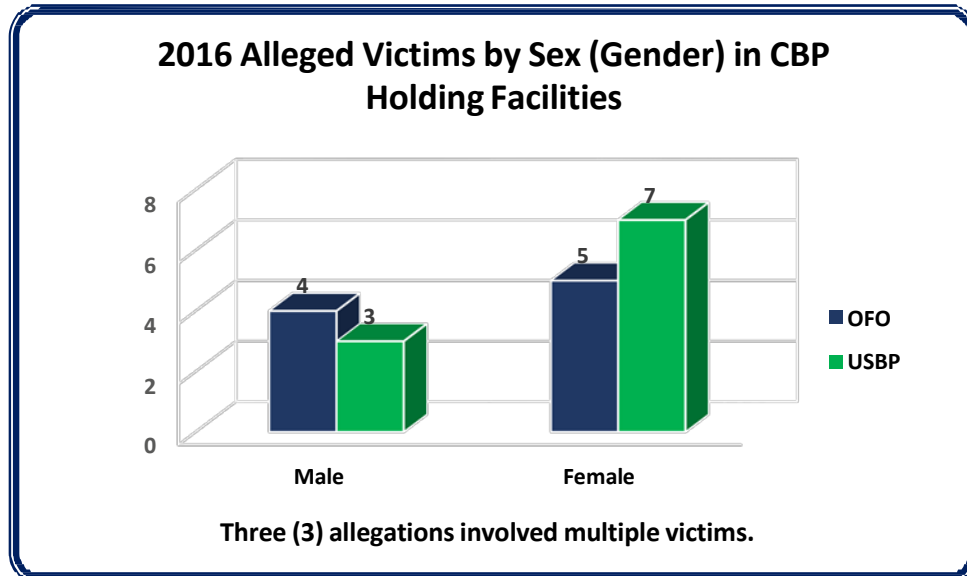




Figure 7. FY 2016 Investigative Findings by Office in CBP Holding Facilities

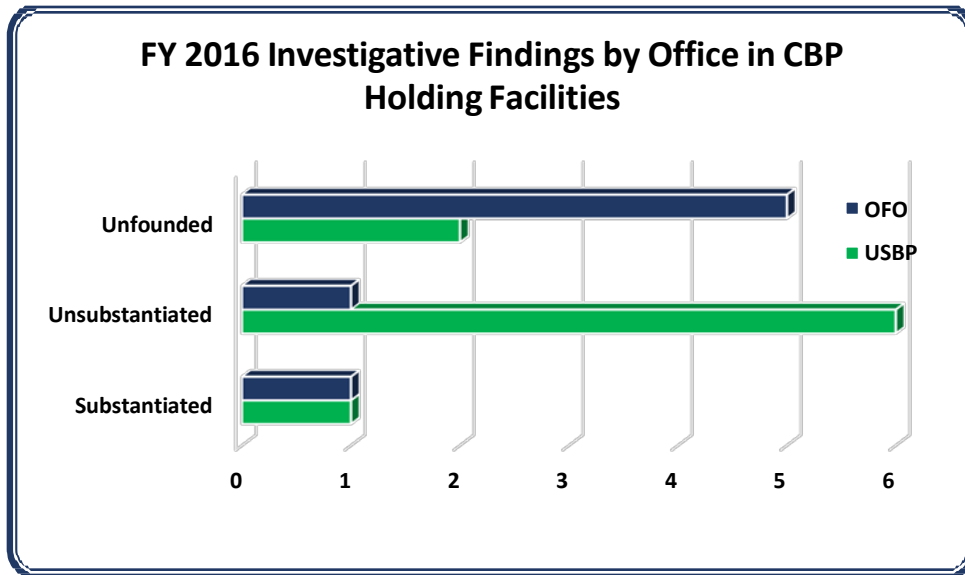


Figure 8. Investigative Findings by Fiscal Year in CBP Holding Facilities

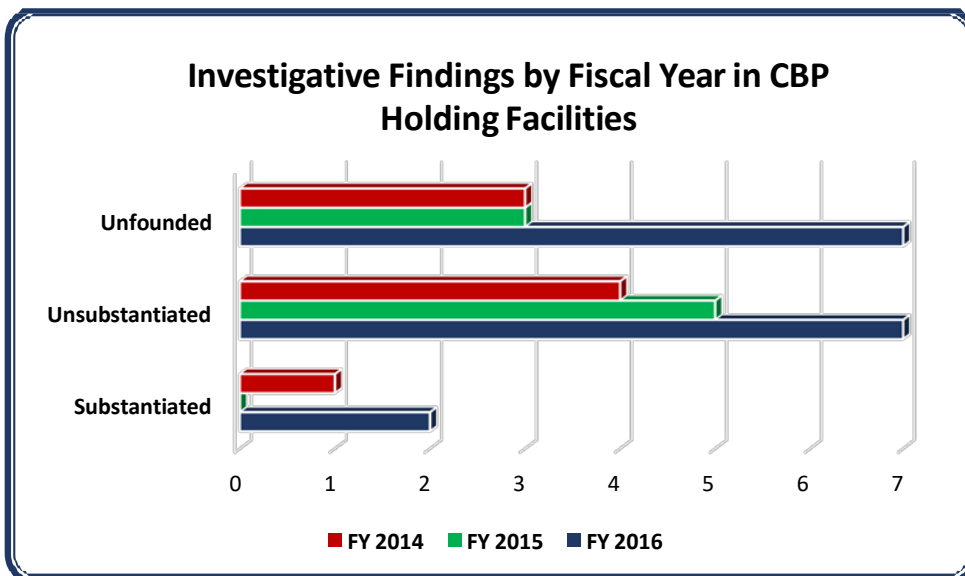




Figure 9. Allegations by Location and Fiscal Year in USBP Holding Facilities

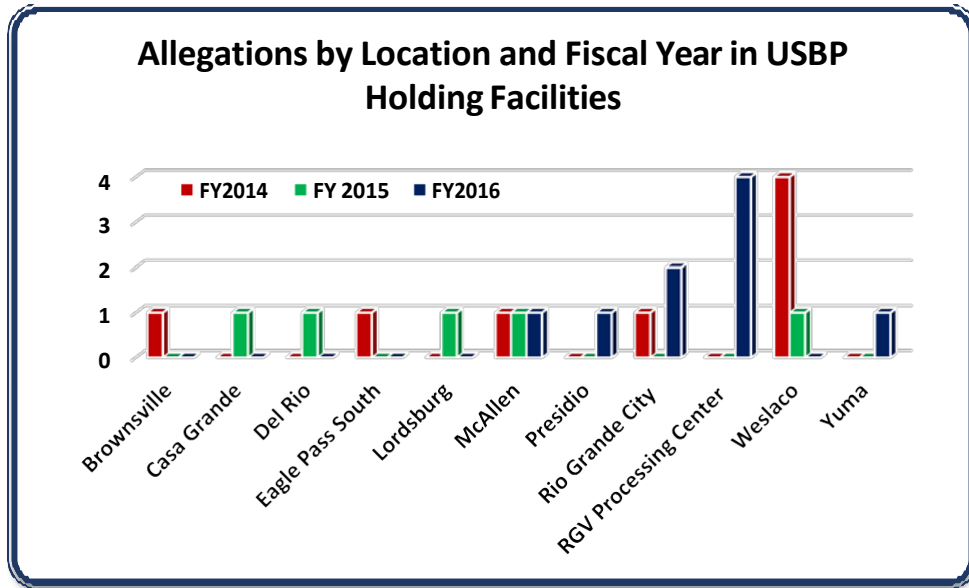


Figure 10. Allegations by Location and Fiscal Year in OFO Holding Facilities

