

PREA Audit: Subpart B Short-Term Holding Facilities Audit Report



U.S. Customs and
Border Protection

AUDITOR

Name of Auditor:	(b)(6)(b)(7)(C)	Organization:	Creative Corrections, LLC
Email Address:	(b)(6)(b)(7)(C)	Telephone Number:	(b)(6)(b)(7)(C)

AGENCY

Name of Agency:	U.S. Customs and Border Protection
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PROGRAM OFFICE

Name of Program Office:	Office of Field Operations
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SECTOR OR FIELD OFFICE

Name of Sector or Field Office:	Laredo Field Office
Name of Chief or Director:	(b)(6)(b)(7)(C)
PREA Field Coordinator:	(b)(6)(b)(7)(C)
Sector or Field Office Physical Address:	109 Shiloh Dr., Suite 301 Laredo, Texas 78045
Mailing Address: <i>(if different from above)</i>	

SHORT-TERM HOLDING FACILITY BEING AUDITED

Information About the Facility

Name of Facility:	Laredo Bridge I – Gateway to the Americas Bridge
Physical Address:	Water and Convent Street, Laredo, Texas 78040
Mailing Address: <i>(if different from above)</i>	700 Zaragoza Street, Laredo Texas 78040
Telephone Number:	(b)(6)(b)(7)(C)

Facility Leadership

Name of Officer in Charge:	(b)(6)(b)(7)(C)	Title:	Acting Port Director
Email Address:	(b)(6)(b)(7)(C)	Telephone Number:	(b)(6)(b)(7)(C)

AUDIT FINDINGS

NARRATIVE OF AUDIT PROCESS AND DESCRIPTION OF FACILITY CHARACTERISTICS:

Directions: Discuss the audit process to include the date(s) of the audit, names of all individuals in attendance, audit methodology, description of the sampling of staff and detainees interviewed, description of the areas of the facility toured, and a summary of facility characteristics.

The initial Prison Rape Elimination Act (PREA) audit of the Customs and Border Protection (CBP), Office of Field Operations (OFO), Laredo Bridge I, Gateway to the Americas Bridge, Laredo, Texas, was conducted on Tuesday March 5, 2019 by PREA certified auditor (b)(6)(b)(7)(C), a contractor for Creative Corrections, LLC. The facility is located at 700 Zaragoza Street, Laredo, Texas, and is utilized by CBP for short term detention of individuals pending release from custody or transfer to a court, jail, prison, other agency or other unit of the agency.

The PREA audit is to determine compliance with the Department of Homeland Security (DHS) PREA standards. (b)(6)(b)(7)(C), CBP Prevention of Sexual Assault Coordinator, Headquarters (HQ); (b)(6)(b)(7)(C), National OFO PREA Coordinator, OFO, HQ; (b)(6)(b)(7)(C), Deputy Director, Personnel Security Division, HQ; (b)(6)(b)(7)(C), Employee Relations Specialist, HQ; (b)(6)(b)(7)(C), Branch Chief, CBP Hiring Center, HQ; (b)(6)(b)(7)(C), Sexual Abuse and Assault Investigations Coordinator, HQ, and (b)(6)(b)(7)(C), Acting Watch Commander/PREA Field Coordinator, Port of Laredo, provided the HQ and Local Pre-Audit Questionnaires (PAQ) along with supporting documents for Laredo Bridge I on the secure CBP SharePoint website approximately two weeks prior to the on-site portion of the audit. Pre-audit preparation included a thorough review of all supplied documentation and supporting materials provided by the facility along with the data included in the completed PAQ's. The documentation received included agency policies with corresponding attachments, procedures, forms, training curricula, and other PREA-related materials provided to demonstrate compliance with the PREA standards.

The Auditor arrived at Laredo Bridge I at 6:00 a.m. on the 5th of March 2019, and began interviewing random supervisors and Officers. At approximately 8:30 a.m. the Auditor proceeded to the Conference Room at the neighboring Laredo Bridge II facility where a joint Laredo Bridge I and Laredo Bridge II in-briefing was conducted. Those in attendance were:

(b)(6)(b)(7)(C), PSA Coordinator, Privacy and Diversity Office (PDO), HQ
(b)(6)(b)(7)(C), Deputy PSA Coordinator, PDO, HQ
(b)(6)(b)(7)(C), Acting Port Director, Port of Laredo
(b)(6)(b)(7)(C), Assistant Port Director, Port of Laredo
(b)(6)(b)(7)(C), Program Manager, Port of Laredo
(b)(6)(b)(7)(C), Chief CBP Officer, Port of Laredo
(b)(6)(b)(7)(C), Watch Commander, Port of Laredo
(b)(6)(b)(7)(C), Acting Watch Commander/PREA Field Coordinator, Port of Laredo
(b)(6)(b)(7)(C), Supervisory CBP Officer, Port of Laredo
(b)(6)(b)(7)(C), National OFO PREA Coordinator, OFO, HQ

After introductions and a brief question and answer period the in-briefing ended, a tour of the facility was provided to include the processing area and hold rooms. Laredo Bridge I has (b)(7)(E), (b)(7)(E). Each hold room contains a toilet and a bench. Posters were observed on the wall in English and Spanish informing detainees of how and whom to report (in writing, anonymously, to DHS Office of the Inspector General (OIG)) any allegations of sexual abuse. Laredo Bridge I is staffed around the clock by CPB staff only; there are no volunteers or contractors allowed uncontrolled access to the hold rooms. The Auditor observed contract cleaning staff under direct CBP staff observation at all times while in the processing area. Laredo Bridge I receives males, females, family units, and juveniles.

In addition to the processing area and hold room the Auditor was able to tour the Command Center. Laredo Bridge I has (b)(7)(E) that include coverage of the processing area and hold rooms. The Auditor was able to view (b)(7)(E) while on-site.

During the site visit the Auditor was unable to observe the intake process due to no arrivals of detainees while the Auditor was present but line staff did walk the auditor through the arrival and intake process. The typical time to be held at Laredo Bridge I is 48 hours. Detainees are provided food and given bedding to sleep on for the duration of the time they are there.

Scope of the Audit: The Auditor reviewed all relevant policies, procedures, and documents in assessing Laredo Bridge I. Information not available in the original documents was requested and received. The Auditor had access to all areas of the facility. While on-site the Auditor interviewed 16 staff (11-Officers, 4-Supervisors and the PREA Field Coordinator) and 10 detainees (6-females and 4-males with Honduras, Cuba, and Mexico represented). All interviews of both staff and detainees were conducted in a secure, private setting. The Auditor used Language Services Associates to provide interpreter services for the detainee interviews. Prior to arriving on-site, the Auditor interviewed six Headquarter Subject Matter Experts (SME)'s who deal with hiring, investigations, labor employee relations, and the Agency PSA Coordinator. The Auditor also spoke with staff from both local Hospitals (Doctor's Hospital of Laredo and Laredo Medical Center) regarding the availability of medical and advocacy services.

SUMMARY OF OVERALL FINDINGS:

Directions: Discuss audit findings to include a summary statement of overall findings and the number of provisions which the facility has achieved compliance at each level: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

On March 7, 2019, a joint Laredo Bridge I and Laredo Bridge II exit briefing was held in the Laredo Bridge II Conference Room. In attendance were:

- (b)(6)(b)(7)(C), PSA Coordinator, PDO, HQ
- (b)(6)(b)(7)(C), Deputy PSA Coordinator, PDO, HQ
- (b)(6)(b)(7)(C), Acting Port Director, Port of Laredo
- (b)(6)(b)(7)(C), Assistant Port Director, Port of Laredo
- (b)(6)(b)(7)(C), Acting Watch Commander/PREA Field Coordinator, Port of Laredo
- (b)(6)(b)(7)(C), Supervisory CBP Officer, Port of Laredo
- (b)(6)(b)(7)(C), National OFO PREA Coordinator, OFO, HQ

The Auditor discussed observations made during the on-site audit and gave preliminary findings. She informed those present a final determination would not be made until she reviewed the on-site notes from interviews, policies, and the standard requirements.

The Auditor found compliance with 23 standards and found 2 standards not met; 115.113 on Detainee Supervision and Monitoring and 115.115 Searches of Detainees.

SUMMARY OF AUDIT FINDINGS	
Number of standards exceeded: 0	
Number of standards met: 23	
Number of standards not met: 2	
OVERALL DETERMINATION	
<input type="checkbox"/> Exceeds Standards (Substantially Exceeds Requirements of Standards)	<input type="checkbox"/> Low Risk
<input type="checkbox"/> Meets Standards (Substantial Compliance; Complies in All Material Ways with the Standards for the Relevant Review Period)	<input checked="" type="checkbox"/> Not Low Risk
<input checked="" type="checkbox"/> Does Not Meet Standards (Requires Corrective Action)	

PROVISIONS

Directions: In the notes, the auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision of the standard, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Corrective Action Plan Final Determination, accompanied by information on specific corrective actions taken by the facility. Failure to comply with any part of a standard provision shall result in a finding of "Does not meet Standard" for that entire provision, unless that part is specifically designated as Not Applicable. For any provision identified as Not Applicable, provide an explanation for the reasoning. If additional space for notes is needed, please utilize space provided on the last page.

§115.111(a) – Zero tolerance of sexual abuse; Prevention of Sexual Assault Coordinator.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP Policy on Zero Tolerance of Sexual Abuse and Assault from the CBP Commissioner, dated March 11, 2015, and CBP Directive 2130-030, Prevention, Detection and Response to Sexual Abuse and/or Assault in CBP Holding Facilities, dated January 19, 2018, mandate zero tolerance toward all forms of sexual abuse and sexual assault and outlines the approach to prevent, detect, and respond to abusive conduct. The policy and Directive define in detail prohibited acts regarding sexual abuse. The policy and Directive are supplemented with CBP's National Standards on Transport, Escort, Detention, and Search (TEDS), dated October 2015, which sets forth nationwide standards that govern CBP's interaction with detained individuals. Compliance is based on the Auditor's review of CBP Policy on Zero Tolerance of Sexual Abuse and Assault, CBP Directive 2130-030, CBP TEDS, and interviews conducted with random Supervisors and Officers. All indicate they are familiar with agency policy and understand their role in preventing, detecting and responding to sexual abuse. Document review confirms Laredo Bridge I has also provided multiple refresher emails to all staff.

§115.113(a) through (c) – Detainee supervision and monitoring.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP Directive 2130-030 requires all short-term holding facilities, including Laredo Bridge I, develop and document a comprehensive detainee supervision guideline that meets the facility's detainee supervision needs. The Auditor spoke with the Local PREA Field Coordinator who discussed at length the supervision guidelines informing the Auditor there are no definitive daily staffing numbers established at Laredo Bridge I. Staff numbers are driven by the number of detainees brought in for processing. The Auditor was informed Laredo Bridge I maintains enough staff positions to provide a safe and secure environment for detainees. The PREA Field Coordinator indicates the established staff positions are appropriate and flexible from day to day. Laredo Bridge I has extensive (b) (7)(E) capabilities in the processing area and hold rooms that are monitored by staff on a continuous basis. This aids as an additional monitoring measure in the supervision of detainees by allowing more staff supervision than only those present in the processing area and hold rooms.

(b)(c) CBP Directive 2130-030 requires the supervision guidelines be reviewed at least annually taking into account physical layout, composition of detainees, the prevalence of substantiated and unsubstantiated instances of sexual abuse, findings, and recommendations of incident reviews and any other relevant factors. The Auditor spoke with the PREA Field Coordinator who was able to explain how Laredo Bridge I maintains appropriate supervision of detainees and how the process is reevaluated from shift to shift. However the facility was not able to sufficiently explain how an annual review of the circumstances are evaluated to determine if supervision is appropriate, in comparison to previous years, or if changes are needed to the overall staffing level or (b) (7)(E) to protect detainees from sexual abuse resulting in non-compliance. **Corrective Action:** Provide documentation of an annual review of the supervision guidelines that takes into account all elements required in the standard.

§115.114(a) and (b) – Juvenile and family detainees.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- Not Applicable (provide explanation in notes):

Notes:

(a)(b) CBP TEDS requires Laredo Bridge I place each at-risk juvenile in the least restrictive setting appropriate to their age and special needs, provided the setting is consistent with the need to ensure the safety and security of the detainee and that of others. The Auditor interviewed random Supervisors and Officers who process juveniles and children brought to Laredo Bridge I who state the children are processed as either accompanied by a parent or legal guardian or as an unaccompanied alien child (UAC). UACs are held separately from any adult in a hold room designated for the purpose of holding UACs. Staff also state minors accompanied by an adult are thoroughly vetted to ensure it is a parent or legal guardian relationship. This includes the use of documentation review, interviews and telephone calls when contact information for other relatives is available. If a legal relationship cannot be established the minor is handled as an UAC and kept separate from adults under the least restrictive setting possible. The Auditor was able to view the hold room utilized for UACs and discussed in depth with staff the methods used to allow the least restrictive setting. This includes leaving the hold room door unlocked to allow UACs free movement, a television with DVDs for UACs and snacks as needed. All random Supervisors and Officers state the well-being of juveniles is a top priority.

§115.115(b) through (f) – Limits to cross-gender viewing and searches.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(b)(c) CBP TEDS details the type and conditions under which searches can and will be performed to ensure the safety of staff, civilians and detainees. It prohibits cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances including consideration of officer safety or when performed by medical practitioners. If performed, the policy requires strip/body cavity searches be recorded in the electronic system of record. CBP TEDS details staff must not conduct visual body cavity searches of juveniles and are to refer all body cavity searches of juveniles to a medical practitioner. During interviews with the PREA Field Coordinator, random Supervisors and Officers all consistently state cross-gender strip searches and cross-gender body cavity searches would not be conducted except in exigent circumstances and then only after receiving approval from a supervisor. They also indicate any visual body cavity search of an adult or juvenile, would be referred to a medical practitioner at one of the local hospitals. Documentation review reveals there have been no strip or body cavity searches at Laredo Bridge I during the past 12 months and all staff interviewed indicate strip searches and body cavity searches are rarely done at Laredo Bridge I.

(d) CBP TEDS specifies the requirement that enables detainees to shower (where showers are available), perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exigent circumstances or when such viewing is incidental to routine cell checks or is otherwise appropriate in connection with a medical examination or under medical supervision. Hold rooms at Laredo Bridge I do not have shower areas. All of the hold rooms have partitions around the toilets and (b) (7)(E) of all hold rooms have the toilet area pixelated to ensure staff are not able to view detainees while performing bodily functions. Interviews with random Supervisors and Officers as well as detainees confirm opposite gender staff knock on the door to announce their presence before entering a hold room. The Auditor also observed Officers knock on the doors during the on-site audit.

(e) CBP TEDS prohibits staff from searching or physically examining a detainee for the sole purpose of determining the detainee's gender. If the detainee's gender is unknown, staff are to ask the detainee their gender or gender identity. If the detainee declines to state their gender, the gender will be recorded in the appropriate electronic system of record as unknown. Interviews with random Supervisors and Officers confirm staff are aware of the prohibition on searching detainees to determine gender and the appropriate way to ask detainees their gender or gender identity. There were no detainees who self-identified as transgender during the on-site visit for the Auditor to interview.

(f) CBP has issued a new training curriculum, Processing Transgender Applicants for Admission, issued by Headquarters in December 2018. This training details the appropriate way to admit a transgender detainee into custody and includes the provision of asking transgender and intersex detainees how they identify. The Auditor interviewed random Supervisors and Officers of which most knew to ask transgender detainees their sexual orientation. The Auditor reviewed the CBP Personal Search Handbook, OFO, dated July 2004, as well as a training presentation and Instructor Guide for CBP S340C Personal Search Policy and Procedure that is provided to all CBP Officer trainees in basic academy. The handbook gives general terms how staff are to conduct pat down searches, including cross gender pat down searches in exigent circumstances, and S340C training explains in further detail the scope of an immediate pat down, a pat down search, and a partial body search. However, neither the handbook nor S340C training go into detail on how staff are to search the breast and groin area, nor does it explain how to search a transgender detainee. Further, during staff interviews, staff could not articulate how to search breast or groin areas of male, female, or

transgender detainees resulting in non-compliance. **Corrective Action:** Provide documentation of training material, and completion of training by all staff, which provides specific details on how to conduct pat down searches of male, female, and transgender detainees, to include searches of the breast and groin areas.

§115.116(a) through (c) – Accommodating detainees with disabilities and detainees who are limited English proficient.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP TEDS and CBP Directive 2130-030 require detainees with disabilities (e.g., detainees who are hearing impaired, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have access to CBP's efforts to prevent, detect, and respond to sexual abuse and/or assault. When necessary to ensure effective communication with detainees who are hearing impaired, steps are to include providing access to in-person, telephonic, or video interpretive services that enable effective, accurate, and impartial interpretation, both receptively and expressively, using any necessary specialized vocabulary. Laredo Bridge I has a job aide available to staff on communicating with detainees with disabilities. The Auditor observed this posted in various areas of the processing area. Random Supervisors and Officers interviewed by the Auditor state deaf and blind detainees would be dealt with individually with staff reading them information, providing visual information, or use of an interpreter if necessary. Random Supervisors and Officers also state if a detainee had a psychiatric disability or was low level learning/functioning they would ensure they took the appropriate time to go over the information with them at a pace the detainee was able to understand.

(b)(c) CBP Directive 2130-030 requires detainees who are limited English proficient (LEP) be provided in person or telephonic interpretation services. During the site inspection the Auditor observed a video monitor continually playing reporting methods of sexual abuse. This video loops continuously through the available languages which currently include English, Spanish, French and Russian. Staff are in the process of translating the video into other languages. During the random Supervisor and Officer interviews the Auditor was informed if a communication problem exists with LEP detainees during processing staff utilize Language Solutions to provide information to detainees in a language they understand. This also includes sign language in multiple languages. Random Supervisors and Officers also indicate other detainees would not be allowed to interpret for another detainee during a sexual abuse investigation.

§115.117(a) through (f) – Hiring and promotion decisions.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b) CBP Directive 2130-030 requires the Office of Human Resource Management (HRM) establish policy and procedures to ensure CBP does not hire or promote personnel who have had previous substantiated allegations of engaging in sexual abuse and/or assault to any position where the employee may interact with detainees in CBP holding facilities. The auditor interviewed the HQ HRM SME prior to the site visit and confirmed CBP does not hire or promote any employee or enlist the services of any contractor who has been found to have engaged, been convicted of engaging, or civilly or administratively adjudicated to have engaged in sexual abuse as defined in the standard and agency Directive. She states interviews conducted with new applicants as well as any applicant for promotion include specific questions about previous sexual abuse misconduct. She confirms new staff and applicants for promotion are made aware there is a continuing affirmative duty to disclose any such misconduct. She states staff receive this information in the new employee orientation packet which includes CBP Standards of Conduct and the Table of Offenses and Penalties; the information is also included during annual refresher training in the Rules of Behavior module.

(c)(d) CBP Directive 2130-030 requires the Office of Professional Responsibility (OPR) ensure background investigations are conducted for applicants for employment and contractors having contact with detainees to determine suitability and updated background investigations be conducted every five years for CBP personnel who may have contact with detainees. An interview with the HQ Personnel Security Division (PSD) SME indicates background checks for CBP are the most thorough investigations conducted for DHS. She informed the Auditor question number three asked by all credentialed background investigators is "have you ever engaged in or have you ever been charged with" sexual abuse? She adds an affirmative response results in the individual not being hired and their application is stopped. The HQ PSD SME informed the Auditor rechecks are completed every five years. The Auditor submitted 15 names to PSD

for background check and re-check confirmation. Documentation provided in response confirms all 15 names submitted have had background investigations completed on schedule.

(e) Review of HRM Operations, Programs, and Policy Standard Operating Procedures (SOP), PREA Hiring and Promotions, dated February 29, 2016, confirms it informs potential and current staff material omissions regarding sexual abuse, or the provision of materially false information, are grounds for termination or withdrawal of an offer of employment. The HQ Labor Employee Relations (LER) SME informed the Auditor staff are made aware of this when they receive their new employee orientation packet which includes CBP Standards of Conduct and the Table of Offenses and Penalties. She states this information is included each year thereafter during annual refresher training in the Rules of Behavior module.

(f) The HRM PREA Hiring and Promotions SOP requires the agency provide information on substantiated allegations of sexual abuse involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work, unless prohibited by law. The Auditor interviewed the HQ Hiring Center SME and she confirms this would be sent by PSD.

§115.118(a) and (b) – Upgrades to facilities and technologies.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Not Applicable (provide explanation in notes):

Notes:

(a)(b) Laredo Bridge I has recently been remodeled, which included a substantial upgrade to the (b) (7)(E) system. The Auditor conducted an interview with the PREA Field Coordinator. He states during the planning for the remodel the ability to protect detainees from sexual abuse was highly considered. He states the Agency considered how updated technology would enhance its ability to protect detainees at Laredo Bridge I from abuse. The Auditor was able to view all areas of the remodel pertinent to the audit during the site inspection, including (b) (7)(E) (b) (7)(E) to confirm compliance.

§115.121(c) through (e) – Evidence protocols and forensic medical examinations.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(c)(d) CBP Directive 2130-030 requires Laredo Bridge I provide emergency medical treatment and crisis intervention service, including forensic medical exam, in accordance with professionally accepted standards of care to alleged victims of sexual assault. The treatment is to be without financial cost to the detainee and regardless of whether the victim names the alleged abuser or cooperates with any investigation arising out of the incident. CBP TEDS requires if the detainee victim is transported for forensic medical exam to a local medical facility that offers victim advocacy services, officers are to permit the detainee to use such services to the extent available, consistent with security needs. The Auditor interviewed the PREA Field Coordinator who confirms detainee victims receive medical and mental health treatment at no cost to the detainee as well as access to advocacy personnel. He states detainees are transported to one of two local hospitals, Doctors Hospital of Laredo or Laredo Medical Center. The Auditor confirmed with both hospitals forensic medical exams would be provided at no cost and advocacy services are available at their locations. During interviews with random Supervisors and Officers all are aware of the need for medical care when responding to the sexual abuse of a detainee.

(e) The Auditor was informed by the PREA Field Coordinator the Laredo Police Department would be notified of any sexual assault. The PREA Field Coordinator provided the Auditor documentation requesting Laredo Police Department comply with sections (a-d) of the standard.

§115.122(c) and (d) – Policies to ensure investigation of allegations and appropriate agency oversight.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(c)(d) CBP Directive 2130-030 requires staff with knowledge, suspicion, or information of any incident of sexual abuse and/or assault of a detainee in a holding facility, retaliation against any person, including a detainee, who reports, complains about, or participates in an investigation about an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation to report the information to the Joint Intake Center (JIC). The Directive further requires Laredo Bridge I report allegations of sexual assault/abuse to law enforcement agencies with the legal authority to conduct criminal investigations. The HQ Sexual Abuse and Assault Investigations Coordinator (SAAI) SME and PREA Field Coordinator both indicate sexual abuse allegations are reported to JIC, the Commissioner's Situation Room and local law enforcement. The PREA Field Coordinator states the supervisor on duty would be responsible for making the required notifications. The Auditor confirmed during interviews with Supervisors they are aware of and understand the notification requirements. The HQ PSA Coordinator indicates in her interview upon any notification of sexual abuse or sexual assault made to JIC she is immediately notified as stipulated in CBP Directive 3340-025E, Reporting Significant Incidents to the Commissioners Situation Room, dated May 21, 2018. The facility has had no sexual abuse allegations reported or investigated during the prior 12 months resulting in no notifications made.

§115.131(a) through (c) – Employee, contractor and volunteer training.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b)(c) CBP Directive 2130-030 requires all uniformed agents and officers, special agents, fact finders, contractors, and volunteers who may have contact with detainees in CBP holding facilities receive PREA training as required in Subpart B of the DHS Standards. The Directive further requires retention of training records as stipulated in the standard. The Auditor reviewed the PREA General Training curriculum provided to staff at Laredo Bridge I. The training is provided to them through the Performance and Learning Management System (PALMS). This training includes the agency's zero-tolerance policy for all form of sexual abuse, the definitions and examples of prohibited and illegal sexual behavior, and the rights of detainees to be free from sexual abuse and retaliation for reporting sexual abuse. The training provides information on where sexual abuse may occur, recognition of physical, behavioral, and emotional signs of sexual abuse, and methods of preventing and responding to such occurrences. Staff is instructed on how to avoid inappropriate relationships with detainees and how to communicate effectively and professionally with detainees, including lesbian, gay, bisexual, transgender, intersex (LGBTI), or gender non-conforming detainees. Interviews with random Supervisors and Officers along with the PREA Field Coordinator confirm all staff have received PREA training and training is provided every two years. The PALMS system is able to provide an up-to-date listing of staff trained and those needing training. Based on review of documentation provided to the Auditor by the PREA Field Coordinator, all individuals currently assigned to Laredo Bridge I have had the required PREA training. There are no contractors or volunteers in direct contact with detainees at Laredo Bridge I requiring this training but the Auditor was informed if a contractor or volunteer was required to come into contact with detainees they would be required to complete the same PREA training. Document review confirms CBP Directive 2130-030 was provided to all staff through the agency email program.

§115.132 – Notification to detainees of the agency's zero-tolerance policy.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP makes public the zero-tolerance policy through the webpage at: <https://www.cpd.gov/about/care-and-custody>. The facility also ensures key information regarding the zero-tolerance policy is visible and continuously available to detainees through posters located in the processing area and inside the hold rooms. The posters were observed in English and Spanish. Information on the posters includes: CBP has zero tolerance for sexual abuse/ assault; reporting can be anonymous and confidential; be safe and get help; tell a CBP official; call DHS OIG (toll free number provided); and telecommunication devices available by calling a toll-free number (provided). The Auditor spoke to 10 random detainees who report they were aware of the posters and had a general understanding of the information provided on the poster. Most indicate they would be comfortable reporting sexual abuse to an Officer if needed. All detainees interviewed were LEP. The Auditor interviewed random Supervisors and Officers who confirm detainees are notified of the agency's zero tolerance policy with posters, and a PREA video.

§115.134 – Specialized training: Investigations.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- X Not Applicable (provide explanation in notes):

Notes:

N/A – Refer to the CBP Sexual Abuse Investigations Audit Report.

§115.141(a) through (e) – Assessment for risk of victimization and abusiveness.

- Exceeded Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b)(c)(d) CBP TEDS states before placing any detainees together in a hold room the processing officer must assess the information before them to determine if the detainee may be considered as an at-risk detainee, or at-risk of posing a threat to others. This assessment includes: whether the detainee has exhibited a mental, physical, or developmental disability; the age of the detainee; their physical build; any prior arrests or incarcerations; if the detainee identifies as LGBTI or gender non-conforming; any prior sexual victimization, and the detainee's own concerns about his/her physical safety. The Auditor reviewed the PREA General Training staff receive regarding conducting assessments. Random Supervisor and Officer interviews confirm the assessment is performed on each detainee arriving at the facility. Supervisors and Officers state if the assessment indicates a detainee may be at high risk of being abused by other detainees he/she is provided with heightened protection and if the assessment indicates a detainee may be high risk of being sexually abusive towards other detainees he/she is provided with heightened supervision. According to staff, this could include direct sight and sound supervision, single room placement or being seated with an Officer in the processing area. The random interviews with detainees confirm they were asked about concerns for their own safety while at the facility upon admission. At the time of the site visit there were no detainees being processed into Laredo Bridge I for the auditor to observe.

(e) CBP TEDS requires all short-term holding facilities, including Laredo Bridge I, implement appropriate controls on the dissemination of private and/or sensitive information provided by detainees during this risk assessment; staff are to disclose this information only to those personnel with a need to know. Interviews with random Supervisors and Officers as well as the PREA Field Coordinator indicate information is only provided on a need to know basis.

§115.151(a) through (c) – Detainee reporting.

- Exceeded Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b) CBP Directive 2130-030 requires detainees be provided multiple ways to privately report sexual abuse and/or assault, retaliation for reporting sexual abuse and/or assault, or staff neglect or violations of responsibilities that may have contributed to such incidents. It further requires the facility provide at least one way for detainees to report sexual abuse to a public or private entity not connected to the agency. Detainees must be able to report confidentially and anonymously, if desired, as well as both verbally and in writing. CBP's procedures for reporting alleged sexual abuse and/or assault are to be visible or continuously and readily available to detainees at holding facilities and posted on the CBP public Website. Interviews with the PREA Field Coordinator and random Supervisors and Officers confirm detainees are provided information on the multiple ways to report through posters (English and Spanish), and through the continuously played video available in English, Spanish, French, and Russian. Provided information indicates detainees may report confidentially and anonymously, verbally or in writing to any CBP Official or by utilizing the toll free telephone number to OIG. The auditor interviewed 10 random detainees. Most were aware there was a telephone number available to them and all were aware they could confidentially inform staff of any allegation of sexual abuse when needed. During the site visit, the Auditor was able to view and test the telephone that would be made available to a detainee to call OIG; the telephone was found operational. The Auditor questioned random Supervisors and Officers about the process for detainees making reports to OIG as the telephone is outside the hold room. They state the detainee only need to tell staff they wish to report something; they would not be required to disclose what they wanted to report before being escorted to the telephone in a private area of the processing area.

(c) CBP Directive 2130-030 requires staff at Laredo Bridge I accept allegations reported to them verbally, in writing, anonymously, and from third parties, and promptly record such reports according to the operational procedures. The Auditor interviewed 15 random Supervisors and Officers and all confirmed their understanding of accepting allegations verbally, in writing, anonymously, and from third parties. All staff state the allegations would be reported to their supervisor and documented.

§115.154 – Third-party reporting.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP Directive 2130-030 states detainees may utilize third party individuals to report allegations of sexual abuse. The agency provides reporting information for anyone wishing to report an allegation on behalf of a detainee on their webpage at <https://www.cpd.gov/about/care-and-custody>. The webpage provides a toll free telephone number, USPS address and email address to JIC; and a toll free telephone number, direct complaint link, and USPS address for OIG. During interviews with 10 random detainees most indicate they are aware of being able to have someone report sexual abuse on their behalf.

§115.161(a) through (d) – Staff reporting duties.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b) CBP Directive 2130-030 requires staff report as promptly as possible any knowledge, suspicion, or information of the following: an incident of sexual abuse and/or assault of a detainee in a holding facility; retaliation against any person, including a detainee, who reports, complains about, or participates in an investigation about an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. CBP Directive 2130-030 also requires staff report any misconduct upon becoming aware of it. CBP TEDS requires staff to immediately report: any knowledge, suspicion, or information regarding an incident of sexual abuse against any detainee, retaliation against detainees or staff who reported or participated in an investigation about such an incident, and staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. CBP Directive 51735-013A, CBP Standard of Conduct, dated March 13, 2012, not only allows staff to report within their chain of command, it requires them to report outside their chain of command to JIC, CBP Internal Affairs, OPR, or OIG. The Auditor interviewed random Supervisors and Officers. All staff understood the reporting requirements if they receive a report of sexual abuse of a detainee, retaliation of a detainee or staff for reporting or participating in an investigation, or staff neglect, or violation of responsibilities that may have contributed to sexual abuse. Staff confirmed their responsibilities to immediately report any allegation of sexual abuse, retaliation, or staff failure to perform their duties, within and outside their chain of command if necessary.

(c) CBP Directive 2130-030 requires staff not reveal any information related to a sexual abuse report except as necessary to aid the detainee, protect other detainees or staff, or to make security and management decisions. This information is also provided to staff in the mandatory PREA training. The Auditor interviewed random Supervisors and Officers. All indicate information they become aware of is not shared except on a need to know basis or during an investigation into the matter.

(d) CBP Directive 2130-030 requires CBP staff notify relevant agencies if the alleged victim of a sexual assault is a vulnerable adult or under the age of 18. The Auditor confirmed the reporting requirements during interviews conducted with random Supervisors and the PREA Field Coordinator. The PREA Field Coordinator states should a vulnerable adult or person under 18 be sexually assaulted at Laredo Bridge I the supervisor on duty would make notifications to the appropriate local State Agencies. Interviews with random Supervisors confirm they are aware of this duty and understand the notification procedure. Laredo Bridge I has had no incidents requiring this type of notification during the last 12 months.

§115.162 – Agency protection duties.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP TEDS states if an Officer has a reasonable belief a detainee may be subject to a substantial risk of imminent sexual abuse, they are to take immediate action to protect the detainee. This specific question was asked of the 15 random Supervisors and Officers interviewed and the PREA Field Coordinator. All indicate any detainee believed to be in imminent danger of being sexually abused would be separated from the other detainees and placed under constant supervision of staff. All state depending on the hold rooms available at the time, the detainee would be placed in a hold room alone or under direct supervision of staff.

§115.163(a) through (d) – Report to other confinement facilities.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP Directive 2130-030 requires staff make reasonable efforts to promptly report any allegation of sexual abuse the facility becomes aware of which occurred at another facility. The notification is required to be made to the appropriate office or Administrator of the facility where the alleged incident occurred as well as JIC and the Commissioner's Situation Room. An interview with the PREA Field Coordinator confirms the notification would be done as soon as possible by the supervisor on duty in accordance with the Directive. There were no notifications made by Laredo Bridge I in the last 12 months as no alleged incidents at other facilities have been reported to staff. It was confirmed during interviews with random Supervisors they are aware of this duty and notification procedures.

(b) CBP Directive 2130-030 requires the notification to other confinement facilities be as soon as possible. An interview with the PREA Field Coordinator indicates he understands this requirement and the 72 hour requirement of the standard. He states the supervisor on duty would be responsible for ensuring this notification occurs.

(c) An interview with the PREA Field Coordinator confirms the receipt of an allegation a detainee was sexually abused while confined at another facility and the required notifications would be documented by the supervisor on duty.

(d) CBP Directive 2130-030 requires a prompt, thorough, objective investigation be conducted by specially trained investigators anytime an allegation is received. An interview with the PREA Field Coordinator confirms if an allegation is received from another facility regarding an allegation of sexual abuse that occurred at Laredo Bridge I, an investigation would be promptly initiated. Laredo Bridge I received no referrals from other facilities in the last 12 months so there were no referrals for investigation were made.

115.164(a) and (b) – Responder duties.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b) CBP Directive 2130-030 details the responsibilities of the first law enforcement staff on scene of an allegation of sexual abuse. The Directive and PREA training require law enforcement staff separate the alleged victim and abuser, preserve and protect the crime scene, and if the abuse occurred within a time period that allows for the collection of physical evidence, request the alleged victim and abuser not take any actions that could destroy physical evidence. The Directive also requires non-law enforcement staff request the alleged victim not take any actions that could destroy physical evidence and then notify law enforcement staff. During interviews with random Supervisors and Officers staff detailed their responsibilities as first responders. Each told the auditor they would separate the victim from the abuser, provide medical assistance if needed by having the detainee transported to a local hospital, preserve evidence to the extent possible, and notify their supervisor. There are no contractors or volunteers with direct access to detainees at Laredo Bridge I to interview regarding non-law enforcement first responder duties.

§115.165(a) through (c) – Coordinated response.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP Directive 2130-030 stipulates the entire document is CBP's written institutional plan outlining the coordinated multidisciplinary team approach to responding to sexual abuse. The 21 sections of the Directive cover aspects from hiring, training, reporting, responding, medical and mental health services, investigations, and data collection. The

PREA Field Coordinator discussed the facility plan during his interview in great detail. He described the first responder duties, medical treatment for detainees as needed at local hospitals, mental health services provided as needed, investigations and involvement of the Laredo Police Department, and subsequent incident reviews and recommendations.

(b)(c) CBP Directive 2130-030 states if an alleged victim of sexual abuse and/or assault is transferred to another DHS facility, Laredo Bridge I must inform the receiving agency of the alleged incident and the alleged victim's potential need for medical or social services. If the alleged victim of sexual abuse and/or assault is transferred to a non-DHS facility, Laredo Bridge I must inform the receiving facility or agency, as permitted by law, of the incident and the alleged victim's potential need for such services, unless the alleged victim requests otherwise. The PREA Field Coordinator informed the Auditor during the last 12 months Laredo Bridge I has had no cases requiring such notification to a DHS or non-DHS facility. He states if they did, the supervisor on duty would follow the notification requirements outlined in Directive 2130-030.

§115.166 – Protection of detainees from contact with alleged abusers.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP Directive 2130-030 requires Agency management consider whether any staff, contractor, or volunteer alleged to have perpetrated sexual abuse and/or assault should be removed from duties requiring detainee contact pending the outcome of an investigation and will do so if the seriousness and plausibility of the allegation make removal appropriate. The PREA Field Coordinator states during his interview an allegation of sexual abuse and/or assault involving staff, contractor, or volunteer would result in the person being removed from any placement having detainee contact pending the outcome of an investigation. He indicates there has not been any allegation of sexual abuse made against a staff member requiring this type of response.

§115.167 – Agency protection against retaliation.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP Directive 2130-030 prohibits agents, officers, and other CBP personnel from retaliating against any person or detainee who reports, complains about, or participates in an investigation of sexual abuse and/or assault. This retaliation prohibition is also detailed in the PREA general training each staff member receives. The Auditor interviewed 15 random Supervisors and Officers and the PREA Field Coordinator. Each was aware of the prohibiting retaliation against anyone who makes an allegation of sexual misconduct or participates in the investigation. The PREA Field Coordinator informed the auditor there have been no allegations of retaliation made during the last 12 months.

§115.171 – Criminal and administrative investigations.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- Not Applicable (provide explanation in notes):

Notes:

N/A – Refer to the CBP Sexual Abuse Investigations Audit Report.

§115.172 – Evidentiary standard for administrative investigations.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- Not Applicable (provide explanation in notes):

Notes:

N/A – Refer to the CBP Sexual Abuse Investigations Audit Report.

§115.176(a) and (c) through (d) – Disciplinary sanctions for staff.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- Not Applicable (provide explanation in notes):

Notes:

(a) CBP Directive 2130-030 informs CBP personnel they may be subject to disciplinary or adverse action up to and including removal from their position and Federal service for substantiated allegations of sexual abuse and/or assault and/or for violating CBP's sexual abuse policies. The Auditor interviewed HQ SAAI and LER SMEs. Both indicate staff would be subject to disciplinary action including removal from their position and Federal service for a substantiated allegation of sexual abuse or violating the agency sexual abuse policy.

(c) CBP Directive 2130-030 requires OPR report all removals or resignations in lieu of removal to appropriate law enforcement agencies for violations of agency or facility sexual abuse and/or assault policies, unless the activity was clearly not criminal. The interview with the HQ SAAI SME indicates the LER office would notify law enforcement of all removals or resignations in lieu of removals for violations of the agency zero-tolerance policy.

(d) CBP Directive 2130-030 requires OPR report all removals or resignations in lieu of removal to any relevant licensing bodies for violations of agency or facility sexual abuse and/or assault policies, to the extent known. The interview with the HQ SAAI SME indicates the LER office would notify licensing bodies, if known, of all removals or resignations in lieu of removals for violations of the agency zero-tolerance policy.

§115.177(a) and (b) – Corrective action for contractors and volunteers.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

CBP Directive 2130-030 requires any contractor or volunteer suspected of perpetrating sexual abuse and/or assault be removed from all duties requiring detainee contact pending the outcome of an investigation, as appropriate. As noted throughout the report, Laredo Bridge I only allows law enforcement staff direct contact with detainees. CBP Directive 2130-030 also requires OPR to report any removal or resignation in lieu of removal for violation of the agency sexual abuse policy to law enforcement officials and any relevant licensing bodies, to the extent known.

§115.182(a) and (b) – Access to emergency medical services.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a)(b) CBP Directive 2130-030 requires alleged sexual assault victims be provided timely unimpeded access to emergency medical treatment and crisis intervention services, including emergency contraception and sexually transmitted prophylaxis, in accordance with professionally accepted standards of care. It also requires emergency medical treatment services be provided to the victim without financial cost and regardless of whether the victim names the alleged abuser or cooperates with any investigation arising out of the incident. An interview with the PREA Field Coordinator confirms detainees who are alleged victims of sexual assault are to receive all medical service and medications without cost even if they do not name the abuser or cooperate with the investigation. He also reports any detainee requiring medical treatment must be sent to one of the local hospitals (Doctors Hospital of Laredo or Laredo Medical Center) as there are no medical staff or facilities at Laredo Bridge I and all care and treatment would be provided at no cost to the detainee.

§115.186(a) – Sexual abuse incident reviews.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)

Notes:

(a) CBP Directive 2130-030 requires at the conclusion of every investigation of sexual abuse and/or assault, a sexual abuse incident review be conducted within 30 days. The review is to determine whether the allegation or investigation indicate a change is needed in policy or practice to better prevent, detect, or respond to sexual abuse. The recommendation(s) for improvement outlined in the review must be implemented or the agency must document the reasons for not doing so in a written response. The report and response is to be forwarded to the PSA Coordinator. The Auditor interviewed the HQ OFO SME who describes the process for the completion of the review and recommendations. His description confirms the review is conducted at the conclusion of every investigation of sexual abuse ordinarily within 30 days of receiving the investigation results and a written report is prepared. The report includes any recommendations for change in policy or practice if determined to better prevent or respond to sexual abuse. He also states implementation of any recommendation for improvement or reason for not doing so is documented in the report with the report is forwarded to the PSA Coordinator. An interview with the PREA Field Coordinator confirms he is aware of the review and recommendation process. An interview with the PSA Coordinator confirms no reviews had been conducted at Laredo Bridge I due to there being no allegations reported during the previous 12 months.

§115.187 – Data collection.

- Exceeded Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard (requires corrective action)
- X Not Applicable (provide explanation in notes):

Notes:

N/A – Refer to the CBP Sexual Abuse Investigations Audit Report.

ADDITIONAL NOTES

Directions: Please utilize the space below for additional notes, as needed. Ensure the provision referenced is clearly specified.

None

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

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

Auditor's Signature

May 27, 2019

Date

**PREA Audit: Subpart B
Short-Term Holding Facilities
Corrective Action Plan Final Determination**



U.S. Customs and Border Protection

AUDITOR

Name of Auditor:	(b)(6)(b)(7)(C)	Organization:	Creative Corrections, LLC
Email Address:	(b)(6)(b)(7)(C)	Telephone Number:	(b)(6)(b)(7)(C)

AGENCY

Name of Agency:	U.S. Customs and Border Protection
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PROGRAM OFFICE

Name of Program Office:	Office of Field Operations
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SECTOR OR FIELD OFFICE

Name of Sector or Field Office:	Laredo Field Office
Name of Chief or Director:	(b)(6)(b)(7)(C)
PREA Field Coordinator:	(b)(6)(b)(7)(C)
Sector or Field Office Physical Address:	109 Shiloh Dr., Suite 301, Laredo TX 78045
Mailing Address: (if different from above)	Same as above.

SHORT-TERM FACILITY BEING AUDITED

Information About the Facility	
Name of Facility:	Laredo Bridge I - Gateway to the Americas Bridge
Physical Address:	Water and Convent Street, Laredo, TX 78040
Mailing Address: (if different from above)	700 Zaragoza Street, Laredo Texas 78040
Telephone Number:	(b)(6)(b)(7)(C)

Facility Leadership			
Name of Officer in Charge:	(b)(6)(b)(7)(C)	Title:	Acting Port Director
Email Address:	(b)(6)(b)(7)(C)	Telephone Number:	(b)(6)(b)(7)(C)

FINAL DETERMINATION

SUMMARY OF AUDIT FINDINGS:

Directions: Please provide summary of audit findings to include the number of provisions with which the facility has achieved compliance at each level after implementation of corrective actions: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

An on-site audit of the Office of Field Operations (OFO), Laredo Bridge I Port of Entry (POE), Gateway to the Americas Bridge, Laredo, Texas, was conducted on March 5, 2019, and the preliminary findings report was submitted on April 7, 2019. Following comments from CBP and Auditor Review, the report was submitted in Final Draft on May 27, 2019.

At that time, the Auditor reviewed the compliance of 25 Subpart B standards and the Laredo Bridge I was found to be in compliance with 23 standards (115.111; 115.114; 115.115; 115.116; 115.117; 115.118; 115.121; 115.122; 115.131; 115.132; 115.141; 115.151; 115.154; 115.161; 115.162; 115.163; 115.164; 115.165; 115.166; 115.167; 115.176; 115.177; 115.182 and 115.186). The facility had not met the requirements for standard 115.113 and 115.115.

On April 6, 2020, the Laredo Bridge I POE submitted a Corrective Action Plan (CAP) to the Auditor through Headquarters. Several documents were requested by the Auditor of transgender pat-down searches. The re-training musters and staff sign-offs were received on July 31, 2020. As part of the CAP, the facility submitted a copy of the "After Action Report: Summary of the Annual Review of Detainee Supervision," as required by Standard Provision 115.113(b). The Summary of the Annual Review of Detainee Supervision included the elements as required in standard provision 115.113 (c). This report was found to be sufficient and an analysis of the report follows below. Although there was regular communication, the CAP was not completed within the required 180-day time period.

PROVISIONS

Directions: After the corrective action period, or sooner if compliance is achieved before the corrective action period expires, the auditor shall complete the Corrective Action Plan Final Determination. The auditor shall insert the provision(s) below that required corrective action and state if the facility's implementation of the provision now "Exceeds Standard," "Meets Standard," or "Does not meet Standard." The auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision that was found non-compliant during the audit.

§115.113

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard

Notes:

On April 6, 2020, the Laredo Bridge I POE submitted documentation of the After Action Meeting Summary Report of the Annual Review of Detainee Supervision Guidelines as required by Standard Provision 115.113 (b). This Report was prepared by the Acting Watch Commander and dated February 4, 2020. The report verified the meeting involving the Assistant Port Director and the Acting Watch Commander. All elements of supervision required by standard provision 115.113 (c) which include (b) (7)(E), detainee population size and composition, facility layout and past incidents of sexual abuse were considered in the facility's findings. The findings supported no current need to change supervision practices at the Laredo Bridge I POE. The Auditor's review of this report results in a finding of "Meets Standard" for standard provisions 115.113 (b) and (c).

§115.115

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does not meet Standard

Notes:

On July 31, 2020, the Laredo Bridge I POE submitted musters dated December 10 and December 11, 2018, providing direction in the processing of transgender applicants for admission. The muster referenced CBP National Standards on Transport, Escort, Detention, and Search (TEDS). The Laredo Bridge I POE also submitted re-training muster staff sign offs and acknowledgements dated July 31, 2020. The Auditor requested additional information, and on August 4, 2020, the Laredo Bridge I submitted an email dated July 31, 2020, "Clarification on the Search of Transgender and Intersex Individuals," to all Laredo Bridge I POE staff which satisfied the Auditor's request. The Auditor's review of this material results in a finding of "Meets Standard" for standard provision 115.115 (f).

OVERALL DETERMINATION - AFTER IMPLEMENTATION OF THE CORRECTIVE ACTION PLAN	
<input type="checkbox"/> Exceeds Standards (Substantially Exceeds Requirements of Standards) <input checked="" type="checkbox"/> Meets Standards (Substantial Compliance; Complies in All Material Ways with the Standards for the Relevant Review Period) <input type="checkbox"/> Does Not Meet Standards (Requires Corrective Action)	<input checked="" type="checkbox"/> Low Risk <input type="checkbox"/> Not Low Risk

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

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

Auditor's Signature

August 9, 2020

Date