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

Fiscal Year 2018
Table of Contents

1. Purpose .................................................................................................................................... 1
2. About CBP............................................................................................................................... 1
3. Background.............................................................................................................................. 2
4. Definitions ............................................................................................................................... 3
5. Accomplishments .................................................................................................................... 5
6. Allegation Types ..................................................................................................................... 6
7. Summary of Allegations in CBP Holding Facilities ............................................................... 7
8. Investigative Findings and Corrective Action ......................................................................... 8
9. Data Collection and Comparison ............................................................................................. 9
10. The Way Forward .................................................................................................................. 10
11. Conclusion ........................................................................................................................... 11
12. Reporting Sexual Abuse/Assault and Agency Contact Information ...................................... 11
13. Figures and Tables ................................................................................................................. 13

Figure 1. FY 2018 Allegations by Office in CBP Holding Facilities ............................................. 13
Figure 2. FY 2018 Allegations by Subject in USBP Holding Facilities ......................................... 13
Figure 3. FY 2018 Allegations by Subject in OFO Holding Facilities ......................................... 14
Figure 4. FY 2018 Allegations by Type in CBP Holding Facilities ............................................. 14
Figure 5. FY 2018 Alleged Victims by Age in CBP Holding Facilities ........................................ 15
Figure 6. FY 2018 Alleged Victims by Sex (Gender) in CBP Holding Facilities ......................... 15
Figure 7. FY 2018 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
1. Purpose

Pursuant to Subpart B of the Department of Homeland Security (DHS) *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (hereafter 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. This data is collected and reviewed in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training.

The DHS Standards also require the preparation of an annual report outlining the agency’s findings and corrective actions. As such, this report documents the agency’s progress in preventing, detecting, and responding to sexual abuse and assault in CBP holding facilities during FY 2018. Following the DHS Standards, this report also provides a comparison of the current year’s data and corrective actions with those from prior years.

2. About CBP

With more than 60,000 employees, which includes more than 22,000 CBP officers and more than 19,000 Border Patrol agents, CBP is one of the world's largest law enforcement organizations. CBP is tasked with facilitating lawful international travel and trade while simultaneously protecting the United States from security threats posed by illegal travel and trade, including threats from terrorism, international crime, and the importation of dangerous contraband. As the United States’ first unified border entity, CBP takes a comprehensive approach to border control and management, thereby combining customs, immigration, border security, and agricultural protection into one coordinated activity. The men and women of CBP are responsible for enforcing hundreds of U.S. laws and regulations at the border. During FY 2018, on a typical day, the Office of Field Operations inspected 1,133,914 passengers and pedestrians at ports of entry.\(^1\) During FY 2018, U.S. Border Patrol apprehended 404,142 individuals attempting to enter the country illegally,\(^2\) including 50,036 unaccompanied alien children and 107,212 family units along the southwest border.\(^3\) In addition, the Office of Field Operations arrested 5,889 individuals wanted for serious crimes and identified 279,036 inadmissible individuals at ports of entry.\(^4\)

---

\(^1\) CBP Stats and Summaries: On a Typical Day in Fiscal Year 2018 (https://www.cbp.gov/newsroom/stats/typical-day-fy2018).


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.

On May 17, 2012, President Barack Obama issued a Memorandum for the Heads of Executive Departments and Agencies titled Implementing the Prison Rape Elimination Act. This memorandum directed all agencies with Federal confinement facilities, which 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.” In addition, 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, the DHS Standards. DHS published its regulations in three separate subparts - Subparts A, B, and C. Subpart A of the DHS Standards apply to U.S. Immigration and Customs Enforcement immigration detention facilities. 6 C.F.R. § 115.10. Subpart B of the DHS Standards apply to all DHS “holding facilities.5” 6 C.F.R. § 115.110. And Subpart C of the DHS Standards 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.

On May 6, 2014 (and again on March 11, 2015), CBP issued written policy prohibiting all forms of sexual abuse and/or assault of individuals in CBP custody. CBP’s Zero Tolerance Policy mandates zero tolerance toward all forms of sexual abuse and/or assault in holding facilities and outlines the agency’s approach to preventing, detecting, and responding to such conduct, as required by Subpart B of the DHS Standards. Then on January 19, 2018, CBP issued CBP Directive No. 2130-030, Prevention, Detection and Response to Sexual Abuse and/or Assault in CBP Holding Facilities, to establish CBP’s procedures for prevention, detection, and response to sexual abuse and assault in CBP holding facilities and coordinate efforts to implement the DHS Standards among offices and personnel. This directive also represents CBP’s written institutional plan pursuant to 6 C.F.R § 115.165 for using a coordinated multidisciplinary team approach to respond to sexual abuse and/or assault.

---

5 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.
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 Standards. 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). Furthermore, the regulations require that “[s]uch 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).

4. Definitions

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

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\(^6\) is defined as:

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, which 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.

Investigative Findings are defined as:

All investigations of detainee sexual abuse and/or assault allegations relating to conduct in a CBP holding facility are closed with a finding of substantiated, unsubstantiated, or unfounded.

- A *substantiated* allegation is an allegation that was investigated and determined to have occurred.

---

\(^6\) During FY 2018, CBP did *not* enlist the service of volunteers in its holding facilities that had contact with detainees.
5. Accomplishments

Since the DHS Standards went into effect in May 2014, CBP has consistently received few allegations of sexual abuse or assault of detainees in its holding facilities. In FY 2018, CBP experienced a slight increase in allegations of sexual abuse and/or assault of detainees, from seven (7) allegations reported and investigated in FY 2017, to eight (8) allegations reported and investigated in FY 2018. CBP remains focused on preventing sexual abuse and assault in its facilities and continues to improve its sexual abuse and assault prevention and response efforts. Specifically, during FY 2018, CBP completed the following actions or initiatives related to preventing sexual abuse and assault and/or enhancing CBP’s compliance with the DHS Standards.

a. **Agency-wide Directive:** A comprehensive directive was created to establish procedures for preventing, detecting, and responding to sexual abuse and assault in CBP holding facilities and to coordinate efforts to implement the DHS Standards among offices and personnel.

b. **Recruitment and Staffing:** A management program analyst position was announced and filled to assist the Prevention of Sexual Assault (PSA) coordinator to develop, implement, and oversee CBP’s efforts to comply with the DHS Standards in all CBP holding facilities.

c. **Employee Development:** A staff member attended the PREA Resource Center 40-hour training course titled *PREA Implementation and Audit Preparedness*.

d. **Compliance Assessment:** Compliance with the DHS Standards was assessed through annual self-assessment and reporting through CBP’s Self-Inspection Program and taking corrective action, when warranted.

e. **Knowledge Management Materials:** Knowledge management materials, regarding CBP employees’ and contractors’ responsibilities under the DHS Standards, were developed and given to all CBP employees and contractors who may have contact with holding facility detainees.
f. **Auditor Assessment Tool**: Following coordination with the DHS Office for Civil Rights and Civil Liberties, an auditor assessment tool was completed to ensure thorough audits of CBP holding facilities pursuant to the DHS Standards.

g. **Auditor Training**: Agency-specific PREA training was provided to auditors and key personnel employed on the PREA auditing services contract.

h. **Field Coordinator Checklist**: A checklist was developed to provide field coordinators with guidance to facilitate the onsite portion of PREA audits.

i. **Auditor Information and Resources Database**: A SharePoint database was developed to electronically store and share audit report templates, schedules, contact information, audit tools, and facility documents with PREA auditors.

j. **Pilot Audits**: Pilot audits were conducted at six CBP holding facilities and auditor feedback from the pilot audits was utilized to enhance the audit tool and process.

k. **Assessment Instruments**: Web-based instruments were developed to survey PREA auditors and CBP staff supporting the audits for feedback on the quality and effectiveness of the audit tool and process.

6. **Allegation Types**

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

- **Nonconsensual sexual acts** involve unwanted contact with another detainee or with a staff member, contractor, or volunteer that involve 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 types of reported allegations are captured in the next section.

### 7. Summary of Allegations in CBP Holding Facilities

All allegation information throughout this report is drawn from data contained in electronic investigative case files as of November 5, 2019. An allegation is within the scope of the DHS Standards if it meets the definition of “sexual abuse” pursuant to Section 4 above and was alleged to have occurred in a CBP “holding facility.”

During FY 2018, CBP detained more than 689,000 individuals in its holding facilities, of which **eight detainees (or 0.00116%) reported that sexual abuse occurred in a CBP holding facility**. The allegations originated from six different holding facilities. Investigations have concluded on the allegations, resulting in one substantiated case and seven unsubstantiated cases.

- a. Five reported allegations involved incidents that allegedly took place while the detainee was in U.S. Border Patrol (USBP) custody. Four involved alleged detainee-on-detainee sexual abuse or assault and one involved alleged staff-on-detainee sexual abuse or assault.

- b. Three reported allegations involved incidents that allegedly took place while the detainee was in Office of Field Operations (OFO) custody. All three involved alleged staff-on-detainee sexual abuse or assault.

- c. Of the total eight allegations of sexual abuse and assault reported, four allegations involved staff-on-detainee alleged sexual abuse or assault and four allegations involved detainee-on-detainee sexual abuse or assault.

  - Alleged non-consensual sexual acts accounted for one staff-on-detainee allegation. The investigation is closed and resulted in an unsubstantiated finding.

---

7 Includes the physical control or temporary detainment of a person who is not lawfully in the U.S. which may or may not result in an arrest; individuals encountered at ports of entry who are seeking lawful admission into the United States but are determined to be inadmissible, individuals presenting themselves to seek humanitarian protection under U.S. laws, and individuals who withdraw an application for admission and return to their countries of origin within a short timeframe; and CBP arrests of individuals, including U.S. citizens, who are wanted by other law enforcement agencies.
Alleged abusive sexual contacts (detainee-on-detainee only) accounted for two detainee-on-detainee allegations. Both investigations are closed and resulted in unsubstantiated findings.

Alleged staff sexual misconduct/touching accounted for two staff-on-detainee allegations. Both investigations are closed and the allegations were not substantiated.

Alleged harassment/indecency exposure accounted for two detainee-on-detainee allegations. Both investigations are closed. One investigation resulted in a substantiated finding and one investigation resulted in an unsubstantiated finding.

Alleged voyeurism accounted for one staff-on-detainee allegation. The investigation is closed and resulted in an unsubstantiated finding.

d. Four of the eight total alleged victims were juveniles (under the age of 18 years). Three of the eight total alleged victims were adults (18 years and above). The age of one of the alleged victims is unknown as the allegation, which was received from an anonymous source, contained insufficient information to identity the alleged victim.

e. Four of the eight total alleged victims were female. Four of the eight total alleged victims were male.

f. Three of the eight allegations were self-reported. Three were reported by a staff member. One was reported by a third party and one was reported by an anonymous source.

8. Investigative Findings and Corrective Action

Of the eight total allegations, seven allegations were unsubstantiated and one allegation, which involved detainee-on-detainee harassment/indecency exposure, was substantiated.

Details of the substantiated allegation and corrective action are provided in the table below.

Table 1. Substantiated Allegation of Sexual Abuse

<table>
<thead>
<tr>
<th>Date of Incident</th>
<th>Location</th>
<th>Summary</th>
<th>Victim</th>
<th>Corrective Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2018</td>
<td>Chula Vista Station</td>
<td>One detainee was subjected to harassment/indecency exposure by another detainee</td>
<td>Colombia Female 33 yrs. of age</td>
<td>Provision of refresher training information to agents on conducting assessments for risk of victimization and abusiveness</td>
</tr>
</tbody>
</table>
9. Data Collection and Comparison

The DHS Standards 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). CBP’s corrective action to prevent future incidents of sexual abuse is documented in Section 8 (Investigative Findings and Corrective Action) above.

As outlined above, CBP’s corrective action in FY 2018 pertains to the requirement of Subpart B of the DHS Standards for assessing risk of victimization and abusiveness. Specifically at the holding facility where the incident of sexual abuse was substantiated, CBP strived to improve its practices by issuing refresher information to agents on assessing detainees to determine their risk of being sexually abused by other detainees or sexually abusive toward other detainees. In the previous two fiscal years, CBP’s corrective actions focused on enhancing capabilities to supervise and monitor detainees through increased video monitoring.

The chart below provides the total number of sexual abuse allegations by fiscal year since CBP implemented PREA in 2014. Four substantiated cases involved detainee-on-detainee (D-D) contact and one substantiated case involved staff-on-detainee (S-D) contact. The five cases that were substantiated over this five-year period occurred at three different CBP holding facilities and one CBP contracted facility. Two of the substantiated cases – one in FY 2017 and one in FY 2018 – originated from the Chula Vista Station and involved female detainee victims of sexual abuse; however, the nature of the abuse, the location of its occurrence within the facility, and the sex of the abuser were different. CBP will continue to maintain a proactive approach to reviewing sexual abuse allegations for possible patterns to detect and prevent sexual abuse.

Table 2. Sexual Abuse Allegations by Fiscal Year

<table>
<thead>
<tr>
<th></th>
<th>FY2014</th>
<th>FY2015</th>
<th>FY2016</th>
<th>FY 2017</th>
<th>FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allegations</td>
<td>8</td>
<td>8</td>
<td>16</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>OFO</td>
<td>0</td>
<td>3</td>
<td>7</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>USBP</td>
<td>8</td>
<td>5</td>
<td>9</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Substantiated</td>
<td>1 (D-D)</td>
<td>0</td>
<td>1 (D-D)</td>
<td>1 (D-D)</td>
<td>1 (D-D)</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>4</td>
<td>5</td>
<td>7</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Unfounded</td>
<td>3</td>
<td>3</td>
<td>7</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Open</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

The PSA coordinator, working with the Office of Professional Responsibility, has aggregated and assessed data on FY 2018 allegations of sexual abuse and assault. These efforts were undertaken to help detect possible patterns and prevent future incidents of sexual abuse and to improve CBP’s sexual abuse prevention, detection, and response policies, practices, and training. The coordinator considered incident-based sexual abuse data available, including the number of
reported sexual abuse allegations determined to be substantiated, unsubstantiated, or unfounded, or for which investigation is ongoing. The coordinator also considered information, where available, regarding the office, subject, type, alleged victim demographics, and location. The PSA coordinator’s analysis of this data is detailed in Section 13 (Figures and Tables) on pages 13 – 17 below. Section 10 (The Way Forward) on pages 10 – 11 below describes next steps, based on the results of the analysis, as well as CBP’s sexual abuse and assault prevention and response efforts to date.

### Reporting of Sexual Abuse and Assault

CBP maintains a safe and secure environment for those held in its custody. CBP has zero tolerance policy information and reporting options posted in highly visible areas in holding facilities. This ensures 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 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 improve its efforts to prevent, detect, and respond to sexual abuse and assault is enduring and includes ongoing work to develop and implement best practices that improve the ability to address allegations of sexual abuse and/or assault in CBP holding facilities. For CBP, sexual abuse and assault is never tolerated, condoned, or ignored.

The PSA coordinator will continue to promptly receive and monitor all incoming allegations of sexual abuse and assault within CBP’s holding facilities working with the Office of Professional Responsibility Sexual Abuse and Assault Investigator (SAAI) coordinator. Also at the end of every sexual abuse investigation, the PSA coordinator reviews the information and works diligently with CBP offices conducting sexual abuse incident reviews to identify improvements to policy, procedures, and/or training.

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

- Expand knowledge of staff responsible for assisting the PSA coordinator to oversee CBP’s efforts to comply with the DHS Standards by attending the PREA Resource Center 40-hour training course titled *PREA Implementation and Audit Preparedness Training for Jails*.
- Train a staff member to serve as a contracting officer’s representative for the PREA auditing services contract via attendance at a 40-hour Level II COR Training Course.
➢ Update CBP’s sexual abuse and assault reporting poster for display in CBP holding facilities and translate into the languages most frequently encountered among the detainees.

➢ Develop and disseminate refresher information to all CBP employees and contractors, who may have contact with holding facility detainees, regarding their responsibilities under the DHS Standards.

➢ Develop and distribute a pocket (quick reference) card to officers and agents, who may have contact with holding facility detainees, to assist them in complying with the DHS Standards.

➢ Develop and distribute job aids to assist officers and agents to communicate effectively with detainees with disabilities and detainees who are lesbian, gay, bisexual, transgender, intersex, and gender nonconforming.

➢ Develop formal written procedures for determining whether sexual abuse and/or assault allegations fall within the scope of Subpart B of the DHS Standards.

➢ Continue assessing compliance with the DHS Standards by performing annual self-assessment and reporting through CBP’s self-inspection program and, when warranted, taking corrective action.

➢ Ensure that holding 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 reducing and eliminating sexual abuse and assault within its holding facilities. CBP’s success depends on a responsive and sustained approach to all issues that affect individuals in CBP holding facilities. This includes addressing 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 already 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
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:
  - Sending an email message to CRCLCompliance@hq.dhs.gov;
  - Faxing to (202) 401-4708; or
  - Writing to U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties, Compliance Branch, 245 Murray Lane, SW, Building 410, Mail Stop #0190, Washington, DC 20528.
13. Figures and Tables

Figure 1. FY 2018 Allegations by Office in CBP Holding Facilities

During FY 2018 more than 689,000 individuals were detained in CBP holding facilities.

Figure 2. FY 2018 Allegations by Subject in USBP Holding Facilities

During FY 2018 more than 400,000 individuals were detained in USBP holding facilities.

---

8 All allegation information is drawn from data contained in electronic investigative case files as of November 5, 2019.
During FY 2018 more than 280,000 individuals were detained in OFO holding facilities.

Figure 3. FY 2018 Allegations by Subject in OFO Holding Facilities

Figure 4. FY 2018 Allegations by Type in CBP Holding Facilities
Figure 5. FY 2018 Alleged Victims by Age in CBP Holding Facilities

A juvenile is below 18 years of age and an adult is 18 years of age or above.

Figure 6. FY 2018 Alleged Victims by Sex (Gender) in CBP Holding Facilities
Figure 7. FY 2018 Investigative Findings by Office in CBP Holding Facilities

![FY 2018 Investigative Findings by Office in CBP Holding Facilities](image)

Substantiated allegation involves detainee-on-detainee sexual harassment/indecency.

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

![Investigative Findings by Fiscal Year in CBP Holding Facilities](image)
Figure 9. Allegations by Location and Fiscal Year in USBP Holding Facilities

No allegations were made at locations not reflected.

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

No allegations were made at locations not reflected.