minors be relocated to an ORR-approved facility as soon as possible. Our office has been working with these two components within the department to improve conditions, detention for unaccompanied minors, and to expedite the transfer of these minors to ORR. We've received some complaints and investigative complaints regarding treatment of unaccompanied minors. We have recently issued a final report on recommendations to ICE and Customs and border probation. This is an internal document we talked about before. And our office will continue to work with the components and with ORR to monitor conditions and treatment of minors in DHS custody. Thank you.

CHAIRMAN WALTON: The report, the internal report you just referenced, you're saying we would not be able to gain access to that?

MS. REBEKAH TOSADO: Well, sir, the way that our office carries out its responsibilities is to work with the components, to gain access to as much information as we can, and to provide a confidential report that is not released to the complainant.
CHAIRMAN WALTON: But we wouldn't be able to, you say, have access to that?

MS. REBEKAH TOSADO: I don't know, sir, if legally the Commission would have authority to access those reports.

But part of the work that we do is aimed to make those recommendations in a confidential manner so that ICE can improve and CBP and the other components can improve their processes before issues become -- before they get to a level where there is no kind of resolution that can take place outside a courtroom.

CHAIRMAN WALTON: Yeah. I mean, I don't think we would have an interest in breaching the confidentiality objective that you have, but I think we might be interested in knowing what you found.

MS. REBEKAH TOSADO: Uh-huh.

CHAIRMAN WALTON: I think it would be very helpful to us.

COMMISSIONER FELLNER: Would you be able to tell us, since there's no individual complainant involved --

MS. REBEKAH TOSADO: Uh-huh.

COMMISSIONER FELLNER: My understanding is that there's no individual complainant involved in
this report, that you did an assessment of --

MS. REBEKAH TOSADO: No. There were individual complaints, yes.

COMMISSIONER FELLNER: And this is just a response -- investigation on those individual complaints?

MS. REBEKAH TOSADO: Right.

COMMISSIONER FELLNER: Can you summarize what the nature of the complaints were and what the nature of your findings were?

MS. REBEKAH TOSADO: I can't summarize at this time the nature of the findings. And at this point the case is not -- it's not a closed complaint, and so I hesitate to provide any more information.

COMMISSIONER FELLNER: It's just one complaint?

MS. REBEKAH TOSADO: There's one complaint that involves a multitude of unaccompanied minors.

COMMISSIONER FELLNER: And what -- can you say what the problems were that the minors alleged that you have addressed in this report?

MS. REBEKAH TOSADO: I really can't say at this time. It's the -- the complaint remains open, and I can't provide any other information. I'm
COMMISSIONER FELLNER: Can we issue a formal request? I find that -- even though that it is open and even if you keep confidential the names of the complainants, I find it hard to believe that it's in the interest of either the minors or your office or the public or anyone else that you not be able to provide the Commission with a sense of what were the nature of the allegations and whether you had some sense as to whether they were founded.

MS. REBEKAH TOSADO: I'm not saying that I'm not able to --

CHAIRMAN WALTON: Well, I don't think we can put her on the hot seat for that.

MS. REBEKAH TOSADO: No. I'm not saying I'm not able to do that at all. Right now I'm not in a position to provide you that information.

CHAIRMAN WALTON: We would ask that if you could find out from your superiors whether that information could be made available to us. I understand in your position you're not at leisure to do that.

COMMISSIONER FELLNER: With as much guarantee, obviously, for the privacy, if they're individual complainants, or people -- specific
officers who --

MS. REBEKAH TOSADO: Well, it is -- I'm happy to look into it some more, but it goes beyond privacy issues of individual complainants. It goes to attorney-client -- the privilege -- we have attorney-client privilege and deliver due process privileges that would apply to this report. But we will try to provide as much information as possible.

CHAIRMAN WALTON: We would appreciate you checking on that and seeing if you could make access, at least to some degree, that information to us.

COMMISSIONER FELLNER: I'm sorry. Are you the -- whose attorney-client -- who's the attorney, who's the client in this when you said attorney-client privilege?

MS. REBEKAH TOSADO: Well, we issue a report from the officer for civil rights and civil liberties, and it goes to the component. And --

COMMISSIONER FELLNER: The component's the client in this case?

MS. REBEKAH TOSADO: The component is the client, yes.

COMMISSIONER FELLNER: Ah. Doesn't that lead sometimes, then, to a mixed agenda for you if
on the one hand you're supposed to be sort of making sure that their civil rights and civil liberties are protected, but on the other hand you represent, you are the client -- the attorney for the entities that you're supposed to be making sure --

MS. REBEKAH TOSADO: It is a unique agency. It's unique within the government, and there are novel issues that have come up in its relationship, especially in providing proactive advice and investigating at the same time.

CHAIRMAN WALTON: It actually is not unique. You find that frequently as it relates to government, because I have those issues brought before me on a fairly regular basis. So it's not unique to what you do.

COMMISSIONER FELLNER: May I then ask another? Do you think -- in your capacity in this office, do you think it would strengthen your ability to protect civil rights and civil liberties of the people who are affected by those agencies if you were not in an attorney-client relationship with the component parts, but you were somehow independent of that; with the same investigative and consultative, but you were not in this particular relationship?
MS. REBEKAH TOSADO: I'm not sure. I think what you're describing is more of an IG role, which is not what we are in the department.

CHAIRMAN WALTON: Commissioner Struckman-Johnson.

COMMISSIONER STRUCKMAN-JOHNSON: Just a general question. Perhaps -- I guess to perhaps first address if you could imagine -- or envision what you think would be a safe environment at the so-called border holdings, what would you recommend be set up to make sure if they're held for -- if kids are there for more than a day or so, what should it look like?

MR. CHRISTOPHER NUGENT: Well, we have given that some thought.

I just think immigration, Customs enforcement should not be involved in the detention of children or detention of families and that there would be a way that they would be able to structure that with nongovernmental organizations, such as the Salvation Army.

Even if they have guards at the perimeter of these facilities, but not -- so that it's not going to be a law enforcement approach and that it will be more sensitive to the vulnerabilities of
both children as well as families. And there are a lot of nongovernmental organizations with expertise. And if DHS wants to put guards at the perimeter, we would welcome that as opposed to children languishing in Border Patrol station jail cells.

COMMISSIONER STRUCKMAN-JOHNSON: Thank you.

CHAIRMAN WALTON: Commissioner Fellner?

COMMISSIONER FELLNER: Yeah.

Can you -- I'm sort of curious about the Hutto facility. And I was quite surprised to see that parents and children are wearing prison jumpsuits in that.

Now, again, who sets the terms, who monitors, who makes sure that what is going on in Hutto is consistent with the values and principles that are supposedly being followed?

And I would like to know from Ms. Tosado, and I would like to know from you guys. I mean, how is it that these kids are in jumpsuits? Who made that decision?

And I know we're getting a little afield from sexual abuse, so I wanted to also get back to that and say, are you hearing -- the testimony of everybody so far this morning, I mean, from the
three of you, there has been discussion of sexual
abuse, in Mr. Medina's testimony, in terms of as
they're being smuggled or brought into the United
States.

But we haven't heard anything about abuse
of children in the facilities, other than being, you
know -- abuses such as the ones that you've
mentioned earlier.

Can you address what you know or have heard
or concerns or whatever about -- as this
Commission's mandate is to focus on sexual abuse in
the facilities, not as they're being transported.

Unfortunately, the smugglers are not within
our purview, so the "coyotes" escape us.

MR. SERGIO MEDINA: That's a difficult
question because I'm not really in a position where
I would find out if sexual abuse had occurred. I'm
not the person that would be notified. I'm charged
with coordinating care for children at the
facilities.

So, I mean, that's -- it's in the work that
I've done, I haven't come across any direct
instances where a child said that I was abused by a
staff.

You know, during the ages of 10 to 17, it's
known that it's a time of sexual exploration for children. There's other children there. There may be some sexual behaviors that do come out, but that's part of the normal course of childhood development.

Now, as far as the Hutto facility, I think it's a fairly new facility. And there was from a lot of the advocates saying that, you know, you can't split up families the way that immigration was.

So I think part of the response was to open a family facility, but it's now been discovered that the way it has been opened and the way that the conditions are there -- and I think there was a recent visit by a nonprofit agency to talk to inmates -- to residents and see what's going on, and it doesn't look good.

So I think it's in the process of documenting what are the concerns, what are the issues, and then hopefully, you know, advocating for those to be known and for those to be hopefully addressed in a good way.

COMMISSIONER FELLNER: Do you know what the name of the agency was that went in?

MR. SERGIO MEDINA: It was -- Lutheran
Immigration and Refugee Service was two of my agency -- a couple of -- I don't know who else attended.

MR. CHRISTOPHER NUGENT: The women's commission.

MR. SERGIO MEDINA: Yes, the women's commission for refugee immigrant children.

COMMISSIONER KANEB: Mr. Medina, you say you have, and I'm pleased to hear you have, apparently, easy access to these facilities.

MR. SERGIO MEDINA: Yes.

COMMISSIONER KANEB: And your people do too.

MR. SERGIO MEDINA: Yes.

COMMISSIONER KANEB: I'm pleased to hear that, and what I -- could I -- notwithstanding what you just said, I would infer -- but you tell me if I'm wrong -- that given the easy access that you and people that work with you have, don't you think if there were sexual abuse going on at any significant level, you'd hear about it?

MR. SERGIO MEDINA: I would say probably.

But, you know, the -- you know, going to the shelters and working with the caseworkers,
working with the director of the program, meeting with the children, and trying to get this kid, you know, an attorney, access to a psychiatrist or some medical treatment, mostly all of that is going to revolve around, you know, what's happened to this child up and to the point that they get there.

And I think once they get there -- and especially in this region, in Southern California, the largest facility in this region is 24 beds. And it's a wonderful facility. You know, it's small scale. The kids get individualized attention, and it's not that large warehouse --

COMMISSIONER KANEB: Thank you.

Mr. Nugent, I got lost when you talked about how kids who really are minors wind up being classified as adults, to their detriment.

I did hear you say, well, they may have been advised by their agents to say they're 18 when they're 16. That's somewhat of a problem, I guess. It would -- if not defy solution, would make a remedy difficult.

So what else can ICE do to avoid classifying kids as adults when they are, in fact, children?

MR. CHRISTOPHER NUGENT: Well, that's one
scenario that occurs, where a child lies. And sometimes the child is lying and saying that they're under 18 -- that they're over 18, and then go to the adult facility. There are other cases, actually, where children, particularly Chinese coming in, know that they'll get a better situation if they end up in ORR custody because they'll be releasable if they're picked up at a port of entry.

So you have some Chinese 20-plus-year-olds claiming to be children so they go to ORR.

COMMISSIONER KANE: So the classification is the system is failing. But what's the solution?

MR. CHRISTOPHER NUGENT: Well, the major -- the way this is happening, I think, for most instances is because of DHS's reliance on bone -- on forensic testing of children's teeth and children's wrists, which has a three-year margin of error.

And so you have children ending up being misclassified and sent to the adult facilities.

COMMISSIONER KANE: But they don't have birth certificates. They may be lying. And there's a three-year margin of error.

Is there something we can -- what's the solution?

MS. REBEKAH TOSADO: Sir, if I may, and,
Chris, you may be aware of this.

ICE has a policy in place on making age determinations. It does allow for the wrist X ray and teeth X rays, as well, but as one of a number of factors.

So there is a policy in place, but the wrist and teeth X ray is not the determinant factor. It may depend on a number of issues, including what the minor says his age is.

COMMISSIONER KANEB: Our primary interest here is avoiding having children put into an adult facility where they might be more likely to be sexually abused.

MR. CHRISTOPHER NUGENT: Okay. Well, Department of Homeland Security is the only government agency, to my knowledge, in the U.S. Government that relies on bone and forensic testing of children.

Congress has directed Department of Homeland Security to use holistic age determination methodologies recommended by medical and child welfare experts.

That would include psychological evaluations of the children to really sort of get a sense of it. Because the dental has been exposed in
the "New York Times." And the dentist in New York who does this gets $500 per kid, has a globe, and has a book of pictures of children and then bases that this child is a child or is an adult.

And it's been referred to by Public Health Service, when I met with them several years ago, as junk science. And they could not understand why DHS would be paying $500 for these dental and bone exams.

And I realize it is only one factor. And there are a lot of other factors.

COMMISSIONER KANE: I don't want to trivialize this or take too much more time.

I must say that my entrepreneurial instincts have been, let's say, aroused here. At $500 a case, I'll bet I could, with some expert help, come up with some clinics that could do a better job. So I'll see you afterwards.

Thank you.

CHAIRMAN WALTON: Commissioner Aiken.

COMMISSIONER AIKEN: Just one question with two parts.

Your shop of director of review and compliance in the Office of Civil Rights and Civil Liberties, what is your formal relationship with the
policymakers and interpreters in that agency, using
an example of something that you have discovered in
the agency that needs direct and appropriate
attention, i.e., pertaining to sexual abuse of
children, for example?

After understanding that formal
relationship, what are some suggestions or
observations that would improve that, if necessary,
to make sure that it's a seamless, productive
relationship?

MS. REBEKAH TOSADO: Well, our goal is to
be integrated to the work of the department
policymaking.

I myself am not involved in that anymore.
I'm just focusing on complaints. And now at the
outcome of complaints when we have recommendations
that can have systemic impact, we will address this
at a policy level.

But we do have policy advisors in the
office that are responsible for engaging that
proactive advice, looking at regulations, having
discussions about different immigration proposals
and that kind of thing.

When Mr. Hutchinson was the Undersecretary,
he included us as part of his staff, though we
report directly to the secretary and we're independent of his office.

So we had that relationship established, and we have a relationship with the director of policy, of immigration policy for the Department of Homeland Security.

And we have people on my staff in my office that participate in those meetings and exchange information and provide advice on issues that are ongoing.

COMMISSIONER AIKEN: So I'm still a little confused.

There is a burning issue in relationship to policy development and policy interpretation. And it's generated and discovered and detected from your particular office in relationship to, i.e., complaints that are validated concerning sexual abuse.

MS. REBEKAH TOSADO: Uh-huh.

COMMISSIONER AIKEN: Where does that go into the chain of command and how are you connected to the responsible authority to interpret, develop, implement, monitor changes in policy?

MS. REBEKAH TOSADO: Good question.

As I said, the officer for civil rights
reports directly to the secretary of Homeland Security. So that is -- there's a direct line, direct chain to the secretary to report on our findings or to report on our concerns about a piece of legislation or law enforcement operation. There's not a mechanism that requires our office to sign off on any particular operation or legislation that's pending in order for the department to go ahead with it.

COMMISSIONER AIKEN: I certainly understand that, and I'm not going to belabor it anymore. I'm just saying, you're telling me that there is a burning issue that you have discovered. And you have direct, untethered access to the director of Homeland Security for that individual to consider what you have found and policy recommendations, if necessary, to remedy the situation. And you have direct uninhibited access to that particular office. Is that correct?

MS. REBEKAH TOSADO: Well, the officer for civil rights has direct access to that office.

COMMISSIONER AIKEN: I'm talking about not just you, but that office, whoever's over that office.
MS. REBEKAH TOSADO: Yes. Yes.

COMMISSIONER AIKEN: Okay. Are there any recommendations or observations that anyone would have that would further improve, if necessary, that particular relationship?

MS. REBEKAH TOSADO: I can't think of any at this time.

I know that there's a lot of demands on the secretary and his time. But I know there's an effort to continue to integrate our office into all the operations of the department, whether it be an impact on civil rights and civil liberties.

COMMISSIONER AIKEN: I understand.

Are there any other observations, suggestions?

MR. CHRISTOPHER NUGENT: And I think Rebecca can address this, but I'm not sure how the Office of Civil Rights and Civil Liberties interacts with the directorate of policy, where policy is set and where there is actually a refugee coordinator that deals with asylum and refugee issues and how -- what kind of relationship you have there.

And would a promotion to being in the policy directorate help the stature of the Office of Civil Rights and Civil Liberties in terms of
integrating the policy work?

MS. REBEKAH TOSADO: I don't know. We are a direct report to the secretary, just like the director of policy is.

CHAIRMAN WALTON: Commissioner Fellner?

COMMISSIONER FELLNER: Yeah.

I wanted to follow up on two things there on the role of your office. One -- and following up on what Jim said. How do you monitor or how do you determine whether, in fact, the agency has responded appropriately to your findings?

For example, you have submitted now a final report which presumably has findings.

Do you follow up to see, what, in fact, has been done and do you keep working, and if so, how, to make sure that the agency takes what you think are the right steps in response?

That's one question.

And the second question is, how do you monitor what is, in fact, happening in the field?

Do you only -- does your office -- not just you, but do you only respond to complaints that come up either through those quarterly meetings that you described or whatever, or do you yourself, your own office go out and conduct some kind of interview or
review process from your own particular perspective
separate from the other mechanisms that were
discussed earlier today?

MS. REBEKAH TOSADO: Well, I want to start
by saying that I'm the director. I have two senior
policy advisors and one investigator. That is the
staff of the Office for Civil Rights and Civil
Liberties.

Monitoring is very important.

COMMISSIONER FELLNER: That's the entire
office?

MS. REBEKAH TOSADO: We have some contract
staff as well. That's the entire review and
compliance team within the office.

COMMISSIONER FELLNER: So wouldn't one of
your recommendations in response to what Jim said be
that you -- to really do the job that Congress and
the American public anticipated in setting up this
office is you would have to be a heck of a lot
bigger?

MS. REBEKAH TOSADO: As I said before, I
did say that we need more staff and more resources.

COMMISSIONER FELLNER: I don't think any of
us realized how small --

MS. REBEKAH TOSADO: Yes, we're very small.
COMMISSIONER FELLNER: -- tiny.

MR. SERGIO MEDINA: If I may add.

ORR has issued some guidance to all the shelters that they work with nationally. And the shelters are spread out all over the U.S.

Often a child, if they have been mistreated at the Border Patrol station or at any point before getting to ORR, ORR has asked the shelters to send that out -- to write it up and to send it in sort of a report format and that they would be working with your office and also with the Inspector General to follow up on those claims.

So, you know, once the child gets at the shelter, they realize that they're safe, they have some warm milk and cookies, or they feel that they're okay, maybe a week, two weeks later they'll say, oh, by the way, the Border Patrol agent I feel mistreated me in "x" way.

So I think that's one way that can help the kids be able to -- when they do feel safe, make it known that they feel that they have been mistreated.

As far as the result and the outcome of the investigation, I haven't heard of any final resolutions. But I think I'm encouraged that everyone is aware that it should be documented, well
documented, the child's story, and sent in, at the
very least.

MS. REBEKAH TOSADO: Thanks for clarifying
that.

Also, I want to say that every complaint
that comes to our office we refer immediately to the
IG. That's part of a memorandum of understanding we
have with the Inspector General. So any complaint
that we have is referred first to the IG.

The IG can determine whether to open a
complaint or refer it back to us for handling. At
that point we can retain the complaint for
investigation, which means our staff conducts the
investigation and issues a final report, or we can
refer it to the component and ask the component to
do a review and report to us.

We ask the components to conclude its
review within 180 days. And we ask follow-up
questions.

And so I just wanted to say that to address
the blow of having to say we have a very small staff
and we can't do everything that we would like to do.

CHAIRMAN WALTON: Let me just ask.

Is it correct that this person who does the
initial screening as to whether a special visa for
children should be secured has no background in child welfare?

MS. REBEKAH TOSADO: That's not correct. He has extensive background in child welfare.

MR. CHRISTOPHER NUGENT: Advocates will contend that it's from a law enforcement perspective first and from a juvenile delinquency model as opposed to a child welfare model in dependency proceedings.

CHAIRMAN WALTON: What background does that person have, if you know?

MS. REBEKAH TOSADO: I actually don't -- I don't have his -- the details on his background, but I know that --

MR. SERGIO MEDINA: He's sort of the juvenile coordinator program nationwide. I see him as sort of the figure of sort of the lead juvenile coordinator. And they may have some experience working with children, but it doesn't necessarily mean that they have a child welfare background.

For example, I've seen a consent request denied for a child. The notes that he put said that the child had a conversation with his mother and they noted that -- on the case notes that the file was sent for him to review.
Well, he used that as a basis to say that this child, if he had been abused by this mother, would never want to speak to this mother. And he denied the consent request.

So, I mean, there's a list. We're also compiling -- my agency's compiling a list of 50 different incidences of absurd bases for denial for these consent requests, which makes us think that he's not that sensitive to these kids' issues, and it seems like he's missing something there.

MR. CHRISTOPHER NUGENT: As a footnote, there are no written criteria or regulations on this consent process or appeal process. And, also, there is published case law in the federal district courts on several mandamus actions reversing his decisions for being arbitrary and capricious and their reasoning and not accessing witness testimony.

CHAIRMAN WALTON: Okay. Anything else?

COMMISSIONER FELLNER: Can I go into a different -- I asked earlier about sexual abuse, and there seems to have been -- for various reasons you've also -- don't have a sense of to what extent it is or is not present in the unaccompanied minors. What about physical violence beyond sexual abuse? Just to explore a little bit.
Are you getting stories of children either having a lot of fights between themselves or staff using excessive force on the children? Or let's just broaden this up a bit to see -- I'm curious of what you are hearing in terms of the treatment of children in these facilities more broader.

MR. SERGIO MEDINA: I can only speak to the State of California. In the State of California if you operate a licensed basic shelter, staff are unauthorized -- they cannot touch children for any reason other than a pat on the back. There's no sort of -- and that's regulated that way.

I haven't come across any staff-to-child physical abuse incidences. And I also work in the Southern California region. So I don't work with every single shelter in the U.S.

Child on child, though -- you know, some of the kids that we provide care for have really, really difficult histories. Some have lived on the streets since the age of 5. Some have grown up in really violate households. And they'll come to the shelter and they'll act out and there's behavioral manifestations for that.

And I can safely say that the staff there at the shelters, you know, really do their best to
intervene in a way that respects the child, that's not punitive in any way.

There's some sort of -- really sort of modern intervention techniques to work with kids who have behavioral issues other than punishment.

And I think that those are being well used. But I guess in short, I don't see what you asked.

COMMISSIONER FELLNER: Chris, what do you see -- or hear?

MR. CHRISTOPHER NUGENT: I've heard of incidents similar to what Sergio was alluding to, about children acting out, which could get construed as child-on-child abuse and sometimes sexually aggressive behavior by different teenage children in the facilities.

ORR's response, though, is not to -- INS's response would be to send this child to a super secure facility as a first resort.

ORR's response is let's work with the clinicians on staff to see if there are different sanctions that can be employed and that the child could still stay here and then think about a continuum of the different programs.

And ORR -- the other benefit of ORR's approach is that if a child does get sent to a
medium secure facility and starts to rehabilitate,
he can go back to a shelter care facility
afterwards.

So they're constantly monitoring the
custody of the children to figure out what the
appropriate placement would be, as opposed to just
leaving them in a secure facility forever, even
though the child is actually demonstrating positive
behavior.

The other issue I just wanted to flag,
though, on privacy and confidentiality --

COMMISSIONER FELLNER: Wait. Would you --
you were talking about child-on-child misconduct.
What about staff-on-child misconduct, whether it
be -- you're saying not in the small shelters, but
you have knowledge of other facilities and larger
ones.

Is that a problem or is the staff well
trained and well disciplined and well -- you know,
following professional rules of conduct?

MR. CHRISTOPHER NUGENT: They're being
better trained than when the facilities were under
INS. But a lot of the facilities are the same
contractors that INS used.

But the clinicians, for example, when I was
in El Paso, Texas, were feeling pretty -- under a lot of pressure by ORR in taking a much more comprehensive approach in terms of helping the child with their psychological and mental health needs than before.

And some of the teachers were also very impressed by ORR sort of encouraging vocational training and very different things that they would not do previously.

So there has been a lot of staff attrition at these facilities. So they're getting newer people who are getting acculturated from a child welfare approach. So I think that's positive.

I have not heard, though, of sexual -- recently of any sexual abuse incidents involving adults and children.

In the '90s there was a lawsuit, and I think a criminal complaint out of a facility in Chicago involving shelter care staff and that was very hush-hush and people didn't discuss it afterwards.

But I think it goes to privacy and confidentiality issues because the other thing that we're contending with is that, you know, a lot of the children are instructed by their attorneys not
to speak with the clinicians at the facilities because ORR doesn't have confidentiality of their information vis-a-vis the Department of Homeland Security.

So any of the clinician's notes can end up in the immigration proceedings and being used against them. And the same thing in terms of complaints and coming forward.

Some attorneys might be telling the children, you have a complaint. Better not bring it up here. Let's get you out of custody, and then we'll evaluate the potential of a lawsuit.

And that's been something that also comes up in adult cases all the time. Like, there's been a rash of detainees dying in immigration custody around the country over the last few years.

And somebody contacted me for advice and was, you know, talking about getting the OIG to investigate or getting civil rights to investigate.

And my advice was, well, if you're going to do a lawsuit, probably best that you get the lawsuit filed, and then OIG and civil rights could get involved as a strategy because, you know, the paperwork of OIG and civil rights is not necessarily going to help you in a wrongful death action.
CHAIRMAN WALTON: Anything else?

Okay. Well, we, again, thank this panel.

You provided us with some valuable information.

There may be additional questions that we'd like to pose to you. And if we do, we would ask that you please respond to them.

This is our last panel on the immigration detention issue. And I think we received a wealth of information that will help us tremendously as we proceed with our assessment of what we should be recommending be done to address this particular population.

So we thank you very much for your input.

Okay. We'll take ten minutes. Come back in ten minutes to 4:00.

(Recess taken from 3:36 p.m. to 3:51 p.m.)

CHAIRMAN WALTON: Okay. We can get started. We're a little early, which is good, on our last panel. I know I'm a little tired, and I'm sure everybody else is, but we are -- we welcome the next panel, which will be speaking on the role of staff in prisons and detention facilities and eliminating prison rape.

Would our two witnesses please stand and