



June 1, 2023 Update: Death in Custody of 8-Year-Old in Harlingen, Texas

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CBP's Office of Professional Responsibility (OPR) continues to investigate the tragic death of an 8-year-old girl in U.S. Border Patrol custody, which occurred on May 17 in Harlingen, Texas. Consistent with agency [policy](#) and CBP's commitment to transparency and accountability, CBP is providing this update to our May 21 [public statement](#) regarding this incident. The information below is subject to verification as part of CBP OPR's investigative process, which is still ongoing.

Over the past week, CBP OPR has continued its investigation of this incident focusing on the events and interactions that occurred between the time the family unit arrived for medical isolation at the Harlingen U.S. Border Patrol Station, on May 14 and when the child was transported to the hospital and subsequently passed away on May 17. Because the closed-circuit television recording system at Harlingen Station was not functioning during the time the family was in custody and only three medical encounters were documented, this update is based largely on interviews of Border Patrol agents and contracted medical personnel who interacted with the family while they were in custody.

Between the time the family arrived at Harlingen Station on the evening of May 14 and the early morning hours of May 17, CBP contracted medical personnel reported having approximately nine encounters with the girl and her mother, who complained of fever, flu-like symptoms, and pain. CBP contracted medical personnel continued to administer Oseltamivir (Tamiflu) to the girl as prescribed and treated her fever (which peaked at 104.9 degrees during the early morning hours of May 16) with a combination of ice packs, antipyretic (fever reducing) medications, and a cold shower. Despite the girl's condition, her mother's concerns, and the series of treatments required to manage her condition, contracted medical personnel did not transfer her to a hospital for higher-level care.

During the day on May 17, the girl was seen by a nurse practitioner on four occasions after complaining of a stomachache, nausea, and difficulty breathing. The contracted nurse practitioner reported checking the girl's heart rate and blood oxygen saturation with a pulse oximeter during each visit with normal findings, and administering Ondansetron (Zofran) for nausea at 9:33 a.m. The nurse

practitioner also reported denying three or four requests from the girl's mother for an ambulance to be called or for her to be taken to the hospital. Another contracted medical employee reported having brought a pile of documents and a bottle of folic acid tablets from the family's property to the nurse practitioner at approximately 10:30 a.m. The nurse practitioner declined to review the papers but did agree to the mother's request to administer one folic acid tablet to her daughter.

At approximately 1:55 p.m., shortly after their fourth visit with the nurse practitioner, the mother returned to the health unit with the girl in her arms. The girl appeared to be having a seizure.

Shortly thereafter, the child became unresponsive and medical personnel requested emergency medical services and initiated cardiopulmonary resuscitation aided by an automated external defibrillator, which did not recommend any defibrillation. At approximately 2:07 p.m., South Texas Emergency Care emergency medical services arrived at Harlingen Station and took over lifesaving efforts. The girl and her mother were transported separately to the Valley Baptist Medical Center in Harlingen, where the girl was declared deceased by medical personnel at that facility at 2:50 p.m. The last two medical encounters were documented by the nurse practitioner after the girl departed Harlingen Station for the hospital.

OPR's review to date has determined that none of the CBP contracted medical personnel or U.S. Border Patrol personnel at Harlingen Station who interacted with the girl, or her mother, acknowledged being aware she suffered from sickle cell anemia or had a history of congenital heart disease. Contracted medical personnel did not consult with on-call physicians (including an on-call pediatrician) about the girl's condition, symptoms, or treatment. The contracted medical personnel failed to document numerous medical encounters, emergency antipyretic interventions, and administrations of medicine. A review of CBP records revealed the camera system at Harlingen Station was flagged for repair/replacement on April 13. The outage was not reported to CBP OPR as required by H.R. 1158, Fiscal Year 2020 DHS Consolidated Appropriation. Closed circuit television recording capabilities were restored at Harlingen Station on May 23.

This statement is an update to the [initial statement](#), to provide additional information.

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Tags: [Accountability and Transparency](#)

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