



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

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The Office of Inspector General Completes Investigation of Guatemalan Juvenile Who Died in U.S. Border Patrol Custody in Weslaco, TX

The Department of Homeland Security (DHS), Office of Inspector General (OIG) initiated an investigation upon receipt of information from the U.S. Border Patrol (USBP) that on May 20, 2019, Border Patrol Agents (BPAs) at USBP Weslaco Station in Weslaco, TX, discovered a 16-year-old non-citizen juvenile from Guatemala deceased in a holding room.

The DHS OIG investigation included witness interviews, a review of USBP records, review of medical records, and an independent contracted medical examiner/child infectious disease expert to review all medical procedures and the autopsy. The investigation determined that USBP did not conduct regular and frequent physical checks as required by the Customs and Border Protection National Standards on Transport, Escort, Detention, and Search policy. The investigation also determined that a BPA Team Lead recorded hourly welfare checks that had not actually occurred.

The independent contracted medical examiner identified the individual's cause of death as natural from H1N1 and bacterial/staph infections, which would have resulted in a rapidly fatal outcome, even with immediate and appropriate treatment. The investigative findings were presented to the United States Attorney's Office, Southern District of Texas, McAllen Division, who declined prosecution, citing a lack of any criminal violations and a lack of criminal intent.