



United States Senate

December 17, 2018

The Honorable Kevin K. McAleenan
Commissioner of U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Dear Commissioner McAleenan,

I am writing to express my strong concern over the death of a 7-year-old girl, Jakelin Caal Maquin, in Customs and Border Protection custody. I am disappointed that you did not inform Congress about this tragedy, especially when I directly asked you about the treatment of children in custody at last week's oversight hearing. This death raises serious questions about the care of children by Border Patrol.

According to the timeline provided by your agency, a group of 163 people, including this child, turned themselves in to Border Patrol at 9:15 PM on December 6, 2018. Reportedly, within 45 minutes, four Border Patrol Agents completed an initial screening of all 163 people. This screening was intended to identify health problems within the group. The Border Patrol timeline then indicates that agents started processing the group for transport to nearest Border Patrol station by 10:00 PM. Tragically, on arrival at the station, the young girl was not breathing and was twice revived by a Border Patrol Emergency Medical Technician. According to initial reports, Jakelin died early in the morning on December 8 of septic shock, fever and dehydration.

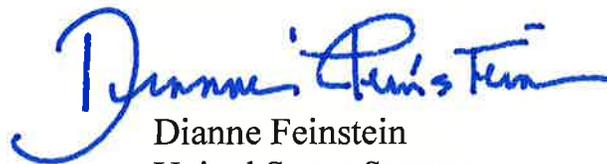
Border Patrol has an obligation to ensure the safety and security of everyone in their care, especially children. It is shocking that a child in the custody of Border Patrol for over eight hours could die of dehydration. Not ensuring that basic necessities are provided to young children who have made the long and arduous journey through the desert, violates legal requirements, national standards, and fundamental decency. I am also distressed about Border Patrol's statements that the child had not eaten or drunk water for several days, given the statement issued by Jakelin's family that the child was fed and had sufficient water.

I am deeply concerned that this child's serious medical condition was not discovered during the medical screening, especially because the screening appears to have been conducted in Spanish and documented on a form in English that Jakelin's father was asked to sign – despite the fact that he primarily speaks the Mayan Q'eqchi' language.

I am also concerned about the child's care and treatment when she was in Border Patrol custody. The timeline and explanation provided by Border Patrol Friday evening provides no details as to what happened to the child on the bus, it does not clarify when Border Patrol was made aware of the girl's condition, nor does it explain why a helicopter was not called to take the girl directly to a hospital. Please provide a more detailed explanation of what happened, including the specific circumstances of her medical care while in Border Patrol custody and details of her initial medical screening. Please also preserve any and all evidence related to the death.

I anticipate that you are cooperating with the Inspector General for a full investigation. I appreciate your attention to this serious issue, and I look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink that reads "Dianne Feinstein". The signature is written in a cursive style with a large initial "D".

Dianne Feinstein
United States Senator