



**U.S. Department of Homeland Security**  
U.S. Immigration and Customs Enforcement  
Office of Professional Responsibility  
Inspections and Detention Oversight Division  
Washington, DC 20536-5501

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**Office of Detention Oversight  
Compliance Inspection**

**Enforcement and Removal Operations  
ERO Miami Field Office**

**Krome North Service Processing Center  
Miami, Florida**

**October 25-28, 2021**

**COMPLIANCE INSPECTION**  
**of the**  
**KROME NORTH SERVICE PROCESSING CENTER**  
Miami, Florida

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## COMPLIANCE INSPECTION TEAM MEMBERS



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## FACILITY OVERVIEW

The U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) Office of Detention Oversight (ODO) conducted a compliance inspection of the Krome North Service Processing Center (KNSPC) in Miami, Florida, from October 25 to 28, 2021.<sup>1</sup> The facility opened in 1979 and is owned and operated by the Office of Enforcement and Removal Operations (ERO). The ICE ERO began housing detainees at KNSPC in 1980 under the oversight of ERO's Field Office Director in Miami (ERO Miami). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has assigned deportation officers and a detention services manager to the facility. An ERO officer in charge handles daily facility operations and manages [REDACTED] support personnel. Akima Global Services (AGS) provides food services, ICE Health Service Corps (IHSC) provides medical care, and Japlop Enterprises, Inc. provides commissary services at the facility. The facility was accredited by the American Correctional Association in August 2018. In June 2017, KNSPC was audited for the Department of Homeland Security (DHS) Prison Rape Elimination Act (PREA) and was DHS PREA Certified.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity <sup>2</sup>	[REDACTED]
Average ICE Detainee Population <sup>3</sup>	[REDACTED]
Male Detainee Population (as of September 27, 2021)	[REDACTED]
Female Detainee Population (as of September 27, 2021)	[REDACTED]

During its last inspection, in Fiscal Year (FY) 2021, ODO found five deficiencies in the following areas: Special Management Units (3) and Use of Force and Restraints (2).

<sup>1</sup> This facility holds male detainees with low, medium-low, medium-high, and high security classification levels for periods longer than 72 hours.

<sup>2</sup> Data Source: ERO Facility List Report as of September 27, 2021.

<sup>3</sup> *Ibid.*

## COMPLIANCE INSPECTION PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population greater than 10, and where detainees are housed for longer than 72 hours, to assess compliance with ICE national detention standards. These inspections focus solely on facility compliance with detention standards that directly affect detainee life, health, safety, and/or well-being.<sup>4</sup>

ODO identifies violations of ICE detention standards, ICE policies, or operational procedures as “deficiencies.” ODO also highlights instances in which the facility resolves deficiencies prior to completion of the ODO inspection. Where applicable, these corrective actions are annotated with “C” under the *Compliance Inspection Findings* section of this report.

Upon completion of each inspection, ODO conducts a closeout briefing with facility and local ERO officials to discuss preliminary findings. A summary of these findings is shared with ERO management officials. Thereafter, ODO provides ICE leadership with a final compliance inspection report to: (i) assist ERO in developing and initiating corrective action plans; and (ii) provide senior executives with an independent assessment of facility operations. ODO’s findings inform ICE executive management in its decision-making to better allocate resources across the agency’s entire detention inventory.

ODO was unable to conduct an on-site inspection of this facility, as a result of the COVID-19 pandemic, and instead, conducted a remote inspection of the facility. During this remote inspection, ODO interviewed facility staff, ERO field office staff, and detainees, reviewed files and detention records, and was able to assess compliance for at least 90 percent or more of the ICE national detention standards reviewed during the inspection.

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<sup>4</sup> ODO reviews the facility’s compliance with selected standards in their entirety.

## FINDINGS BY PERFORMANCE-BASED NATIONAL DETENTION STANDARDS 2011 (REVISED 2016) MAJOR CATEGORIES

PBNDS 2011 Standards Inspected <sup>5&amp;6</sup>	Deficiencies
<b>Part 1 - Safety</b>	
Emergency Plans	0
Environmental Health and Safety	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 2 - Security</b>	
Admission and Release	0
Custody Classification System	0
Funds and Personal Property	0
Post Orders	0
Searches of Detainees	0
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	0
Use of Force and Restraints	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 4 - Care</b>	
Food Service	0
Hunger Strikes	0
Medical Care	0
Personal Hygiene	2
Significant Self-harm and Suicide Prevention and Intervention	0
<b>Sub-Total</b>	<b>2</b>
<b>Part 5 - Activities</b>	
Correspondence and Other Mail	0
Trips for Non-Medical Emergencies	0
Marriage Requests	0
Voluntary Work Program	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 6 - Justice</b>	
Legal Rights Group Presentations	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 7 - Administration and Management</b>	
Detention Files	1
Interview and Tours	0
Detainee Transfers	0
<b>Sub-Total</b>	<b>1</b>
<b>Total Deficiencies</b>	<b>3</b>

<sup>5</sup> For greater detail on ODO's findings, see the *Compliance Inspection Findings* section of this report.

<sup>6</sup> Beginning in FY2022, ODO instituted a process of rotating all standards on a 3-year basis. As a result, some standard components may not be present in all inspections.

## DETAINEE RELATIONS

ODO interviewed 12 detainees, who each voluntarily agreed to participate. Three of the detainees made allegations of sexual assault. Most detainees reported satisfaction with facility services except for the concerns listed below. ODO attempted to conduct detainee interviews via video teleconference; however, ERO Miami and the facility were not able to accommodate this request due to technology issues. As such, the detainee interviews were conducted via telephone.

*Medical Care:* One detainee stated he requested a physical exam via the electronic tablet on August 22, 2021, and has not received medical attention.

- Action Taken: ODO interviewed the health service administrator (HSA) and reviewed the detainee's medical records, which indicated the detainee arrived at the facility on July 6, 2021, and received a physical exam on July 7, 2021. Medical records indicated on August 27, 2021, the detainee made a sick call request, and the medical staff evaluated him on that same day. ODO found no other medical information within the detainee's medical file.

*Medical Care:* One detainee stated the facility dentist informed him that an oral surgeon would resolve his dental pain; however, the facility has no oral surgeon on its staff. The detainee stated he has not received any update regarding this issue.

- Action Taken: ODO interviewed the HSA and reviewed the detainee's medical records, which indicated the detainee arrived at the facility on March 19, 2021. According to his medical records, the detainee requested dental sick call on May 19, 2021; May 26, 2021; June 3, 2021; and June 24, 2021, all regarding tooth discomfort. However, the detainee's evaluations made no mention of and oral surgeon needing to see and/or evaluate the detainee. The HSA informed ODO the detainee will be reevaluated during a follow-up dental appointment on November 11, 2021. On December 3, 2021, the HSA confirmed to ODO the facility's dentist evaluated the detainee and determined the detainee did not need to see an oral surgeon.

*Sexual Abuse and Assault Prevention and Intervention:* One detainee stated from September 7 to 14, 2021, while exiting and entering the Pod 2 housing unit, a male facility officer performed rough pat-down searches and purposely touched the detainee's genitals.

- Action Taken: Upon receiving the detainee's complaint, the ODO team lead ended the detainee interview and notified the OIC who initiated the facility's PREA protocols. Upon further investigation, ODO discovered the facility reported the incident to ERO Miami on September 15, 2021, and conducted an internal investigation of the detainee's allegation. A supervisory detention and deportation officer (SDDO) notified ERO leadership, initiated PREA protocols, and contacted IHSC and the Joint Intake Center (JIC). ODO confirmed the facility initiated its PREA protocols; however, the investigation concluded the incident was unsubstantiated (JICMS case number: 202111990).

*Sexual Abuse and Assault Prevention and Intervention:* One detainee stated on September 1, 2021, while in the medical holding cell, another detainee approached him from behind and touched his genitals with a cane. Additionally, on that same day while playing soccer during recreation time, the same detainee grabbed the complainant's buttocks.

- Action Taken: Upon receiving the detainee's complaint, ODO ended the detainee interview and notified the OIC who initiated the facility's PREA protocols. Upon further investigation, ODO discovered the facility on September 2, 2021, enacted PREA protocols, notified ERO Miami leadership, IHSC, and the JIC, and initiated its investigation. The ERO Miami investigation found that both detainees admitted to engaging in mutual inappropriate touching and classified them both as aggressors. The OIC stated both detainees declined protective custody offered by the AGS staff (JICMS case number: 202111477).

*Sexual Abuse and Assault Prevention and Intervention:* One detainee stated on July 10, 2021, while exiting and entering the Pod 5 housing unit, a male facility officer conducted a pat down of the detainee and brushed his hands against the detainee's genitals.

- Action Taken: Upon receiving the detainee's complaint, ODO ended the detainee interview and notified the OIC who initiated the facility's PREA protocols. The facility's staff escorted the detainee to medical for an evaluation and an interview by the facility's PREA investigator. ODO confirmed the facility initiated proper PREA protocols and completed an internal investigation regarding all the detainee's allegations. An SDDO notified ERO Miami leadership, initiated facility PREA protocols, and contacted IHSC and the JIC. ODO confirmed the facility initiated its PREA protocols; however, the investigation concluded the incident was unsubstantiated (JICMS case number: 202200813).

## COMPLIANCE INSPECTION FINDINGS

### CARE

#### PERSONAL HYGIENE (PH)

ODO reviewed photographs of KNSPC's Housing Unit 8 and a facility inspection report, dated June 23, 2021, and found the housing unit's toilets were not located in a reasonably private area. Specifically, Housing Unit 8 has five showers and four toilets in open areas that do not contain doors, half walls, partitions, nor curtains (**Deficiency PH-41**<sup>7</sup>).

ODO reviewed photographs of KNSPC's Housing Unit 8 and a facility inspection report, dated June 23, 2021, and found the housing unit's toilets were not located in a reasonably private area. Specifically, Housing Unit 8 has five showers and four toilets in open areas that do not contain doors, half walls, partitions, nor curtains, and does not prevent staff from viewing the detainees

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<sup>7</sup> "Detainees shall be provided with a reasonably private environment in accordance with safety and security needs." See ICE PBNDS 2011 (Revised 2016), Standard, Personal Hygiene, Section (V)(E).



except in exigent circumstances (**Deficiency PH-42<sup>8</sup>**).

## **ADMINISTRATION AND MANAGEMENT**

### **DETENTION FILES (DF)**

ODO reviewed [redacted] detention file logbook entries for January 2021 and found [redacted] detention file logbook entries did not record the date and time returned nor the signature of the person returning the file (**Deficiency DF-29<sup>9</sup>**).

## **CONCLUSION**

During this inspection, ODO assessed the facility's compliance with 23 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 21 of those standards. ODO found three deficiencies in the remaining two standards. ODO commends facility staff members for their responsiveness during this inspection. ODO recommends ERO work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations. A uniform corrective action plan was not required for ODO's last inspection of KNSPC which occurred in May 2021.

<b>Compliance Inspection Results Compared</b>	<b>FY 2021 (PBNDS 2011) (Revised 2016)</b>	<b>FY 2022 (PBNDS 2011) (Revised 2016)</b>
Standards Reviewed	12	23
Deficient Standards	2	2
Overall Number of Deficiencies	5	3
Repeat Deficiencies	1	0
Areas of Concern	0	0
Corrective Actions	0	0
Facility Rating	N/A	Superior

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<sup>8</sup> "Detainees shall be able to shower, perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exigent circumstances or when such viewing is incidental to routine cell checks or is otherwise appropriate in connection with a medical examination or monitored bowel movement." See ICE PBNDS 2011 (Revised 2016), Standard, Personal Hygiene, Section (V)(E).

<sup>9</sup> "At a minimum, does the logbook entry recording the file's removal from the cabinet include the following information: ...

e. date and time returned; and

f. signature of person returning the file.

See ICE PBNDS 2011 (Revised 2016), Standard, Detention Files, Section (V)(F)(3)(e)(f).