

U.S. Department of Homeland Security
630 Sansome Street
San Francisco, CA 94111




**U.S. Immigration
and Customs
Enforcement**

January 7, 2019

MEMORANDUM FOR: Tae D. Johnson
Assistant Director for Custody Management

THROUGH: Jay M. Brooks
Deputy Assistant Director for Custody Management

FROM: Erik S. Bonnar 
Acting Field Office Director

SUBJECT: Waiver for Barber Operations

Purpose

Request a waiver for the Yuba County Jail (YUBAJCA) as it relates to the Security and Control, Environmental Health and Safety, Guidelines for Specific Areas of the Facility; Barber Operations, Part 2, Item 7, Subsection P(1) within the 2000 National Detention Standards (NDS), which states:

“The operation will be located in a separate room not used for any other purpose. The floor will be smooth, nonabsorbent and easily cleaned. Walls and ceiling will be in good repair and painted a light color. Artificial lighting of at least 50-foot candles will be provided. Mechanical ventilation of 5 air changes per hour will be provided if there are no operable windows to provide fresh air. At least one lavatory will be provided. Both hot and cold water will be available, and the hot water will be capable of maintaining a constant flow of water between 105 degrees and 120 degrees.”

Background

Yuba County Jail is a 428 bed Intergovernmental Service Agreement (IGSA) facility, located in Marysville, California. Yuba County Jail houses approximately 200 ICE detainees daily for Immigration and Customs Enforcement (ICE).

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Waiver for Barber Operations

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On November 16, 2018, the Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS) of the Yuba County Jail in Marysville, CA. At the conclusion of the inspection, the Nakamoto Group found that the Yuba County Jail was not in compliance with Environmental Health and Safety, Guidelines for Specific Areas of the Facility; Barber Operations, Part 2, Item 7, Subsection P(1) within the 2000 National Detention Standards (NDS). This component was rated deficient because the facility did not have a barbershop in a room not used for any other purpose. During the inspection, barbering services were conducted in a common area of the housing units and not in a separate room.

Discussion

Currently the jail staff distributes (1) barber cart for all 3 levels in the facility daily. Each housing unit within their respective level has access to barbering supplies weekly. Haircuts are conducted by the detainee barber residing within the same housing unit in a non-specified area. Jail policy permits detainees to go the jail barbershop at a minimum of once per month, however, there are no longer any available rooms to conduct barbershop operation due to operational needs and space. The room previously used as a barbershop is now the facility pharmacy. The current arrangement where barbering supplies are delivered via a mobile cart to the detainee housing unit provides adequate lighting, ventilation, access to both hot and cold water and a lavatory. I have been advised by the facility OIC that this process is like those utilized by other nearby jail facilities.

In addition, all barbering tools coming in contact with detainees are cleaned and disinfected using Barbicide. The Yuba county jail Program Officer oversees and supervises the implementation of disinfection procedures. This satisfies the requirement that the barber shop has the facilities and equipment needed to meet sanitation requirements as defined in subsection P(3) within the 2000 NDS.

Recommendation

I recommend you approve a waiver for Security and Control, Environmental Health and Safety, Guidelines for Specific Areas of the Facility; Barber Operations, Part 2, Item 7, Subsection P(1) within the 2000 National Detention Standards (NDS), which states in part that the operation will be located in a separate room not used for any other purpose.

If circumstances change, this waiver can be amended or rescinded at any time.

Approve/date jmb 1/8/19 Disapprove/date _____
Modify/date _____ Needs more discussion _____

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