

U.S. Department of Homeland Security
500 12th Street, SW
Washington, DC 20024



U.S. Immigration
and Customs
Enforcement

August 21, 2012

MEMORANDUM FOR: Tae D. Johnson
Assistant Director, Custody Management Division

THROUGH: *Jay M. Brooks*
Jay M. Brooks
Deputy Assistant Director, Detention Management Division

FROM: *Cynthia R. Parker*
Cynthia R. Parker
Unit Chief, Detention Standards Compliance

SUBJECT: San Diego Contract Detention Facility, San Diego, CA
Personal Hygiene Standard Waiver Request

Purpose

Provide a waiver for the San Diego Contract Detention Facility (CDF) as it relates to the Personal Hygiene Standard in Detention Facilities, Section (E) within the Performance-Based National Detention Standards (PBNDS), specifically: Bathing and Toilet Facilities - ACA Expected Practice 4-ALDF-4B-09 requires a minimum ratio of one shower for every 12 detainees.

Background

On June 12-14, 2012, the Annual Detention Review of the San Diego CDF by the Nakamoto Group, Inc. reported this component was rated as deficient during the prior year's inspection due to the shower to detainee ratios being 1:16 or 1:17 and not 1:12 as required by the standard.

Discussion

The San Diego CDF was constructed according to San Diego County specifications and is currently being leased from the county, which prevents any physical structural changes. San Diego County does not recognize ACA standards and the facility is unable to comply with the 1:12 ratio. However, detainees do have full access to the shower room from 0600-2300 hours daily. Due to the additional time that detainees are afforded access to the showers, it does not appear that the shower ratio affects the quality of life for the inmate/detainee population.

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Recommendation

I recommend authorization of a waiver for the San Diego Contract Detention Facility for PBNDS Personal Hygiene standard Section (E), Bathing and Toilet Facilities, due to the limitations imposed by the current lease from San Diego County preventing structural changes to the facility, which precludes meeting the standard.

Date Authorized grb 10/1/12
Date Modified _____

Date Not Authorized _____
Needs more discussion _____



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FROM: *Cynthia R. Parker*
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Unit Chief, Detention Standards Compliance

SUBJECT: San Diego Contract Detention Facility, San Diego, CA
Medical Standard Waiver Request

Purpose

Provide a waiver for the San Diego Contract Detention Facility (CDF) as it relates to the Medical Care Standard in Detention Facilities, Section (F) within the Performance-Based National Detention Standards (PBNDS), specifically: Pharmaceutical Management.

Background

On June 12-14, 2012, the Annual Detention Review of the San Diego Contract Detention Facility by the Nakamoto Group, Inc. reported that the pharmacy is not equipped with a locking pass-through window.

Discussion

The San Diego CDF was constructed according to San Diego County specifications and is currently being leased from the county, which prevents any physical structural changes. The PBNDS Medical Care Standard does not require a locking pass through window in the pharmacy. However, it is a component on the PBNDS Inspection Worksheet G-324A, specifically Part 4-22 #38, stating that in SPCs and CDFs the pharmacy should have a locking pass-through window. Auditor comments acknowledge that the PBNDS does not require the pass-through window. Comments also note that Part 4-22 #38 is compliant in all other aspects regarding the administration of medication by the pharmacy. The San Diego CDF does not dispense, distribute, or administer medications to detainees directly from the pharmacy. Medications are either "Keep On Person" (KOP) or distributed by nurses from medication carts that are taken to the housing units.



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FROM: Cynthia R. Parker
Unit Chief, Detention Standards Compliance

SUBJECT: San Diego Contract Detention Facility, San Diego, CA
Segregation Standard Waiver Request

Purpose

Provide a waiver for the San Diego Contract Detention Facility (CDF) as it relates to the Special Management Unit Standard in Detention Facilities, Section (B) #6 (a) within the Performance-Based National Detention Standards (PBNDS), specifically: Administrative Segregation - Generally, these detainees shall receive the same privileges as are available to detainees in the general population, depending on any safety and security considerations for detainees, facility staff and security. When space and resources are available, detainees in Administrative Segregation may be provided opportunities to spend time outside their cells (in addition to the required recreation periods), for such activities as socializing, watching TV, and playing board games and may be assigned to work details (for example, as orderlies in the SMU).

Background

On June 12-14, 2012, the Annual Detention Review of the San Diego Contract Detention Facility by Nakamoto Group, Inc. reported detainees in Administrative Segregation are not permitted to spend time outside of their cells to socialize, play board games etc. There are no TVs in the unit.

Discussion

The San Diego CDF was constructed according to San Diego County specifications and is currently being leased from the county, which prevents any physical structural changes. The San Diego CDF does not have essential space available to accommodate this standard and provide enough time for detainees with the same classification level an opportunity to spend time outside of their cells. The facility's segregation unit is one sixty-eight bed housing pod that houses not only detainees in administrative segregation, but detainees in a pre-hearing

status, protective custody, detainees determined to be a threat to safety and security due to gang affiliation or other issues, and detainees in disciplinary segregation. To maintain security and good order in the facility, these detainees should be prevented from commingling whenever possible.

Recommendation

I recommend authorization of a waiver for the San Diego Contract Detention Facility for PBNDS Special Management Unit standard Section B #6 (a), Administrative Segregation, due to the limitations imposed by the current lease from the County of San Diego preventing structural changes to the facility.

Date Authorized

Date Modified

[Signature] 11/21/12

Date Not Authorized

Needs more discussion

[Signature]