



The Nakamoto Group, Inc.

August 25, 2022

TO: [REDACTED]
Acting Assistant Director Custody Management

FROM: [REDACTED]
Lead Compliance Inspector
The Nakamoto Group, Inc.

SUBJECT: **Annual Detention Inspection of the Buffalo Federal Detention Facility (Batavia SPC)**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2011 of the Buffalo Federal Detention Facility (Batavia SPC) in Batavia, New York during the period of August 23-25, 2022. This is an SPC.

The annual inspection was performed under the guidance of [REDACTED] Lead Compliance Inspector. Team members were:

Subject Matter Field	Team Member
Safety	[REDACTED]
Security	[REDACTED]
Medical Care	[REDACTED]
Detainee Rights	[REDACTED]
Medical Care	[REDACTED]

Type of Inspection

This is a scheduled annual inspection to determine overall compliance with the ICE PBNDS 2011 for Over 72-hour facilities. The facility received a rating of Meets Standards during the August 2021 Inspection.

Inspection Summary

The Buffalo Federal Detention Facility (Batavia SPC) is currently accredited by:

- The American Correctional Association (ACA) - Yes
- The National Commission on Correctional Health Care (NCCHC) - Yes
- The Joint Commission (TJC) - No
- Prison Rape Elimination Act (PREA) - Yes

Standards Compliance

The following information is a summary of the standards that were reviewed and overall compliance that was determined as a result of the August 2021 and August 2022 PBNDS annual inspections:



<i>August 2021 Annual Inspection</i>	
Meets Standards	40
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	3

<i>August 2022 Annual Inspection</i>	
Meets Standards	40
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	3

The inspection team identified one (1) deficient component in the following one (1) standard:

Hunger Strikes – 1

Facility Snapshot/Description

The Buffalo Federal Detention Facility (Batavia SPC) is owned and operated by Immigration and Customs Enforcement and is located in the northern outskirts of Batavia, New York. The management structure of the facility consists of security officers employed by Akima Global Services (a protective services and management company) that serve as operational line and command staff, and ICE/ERO staff that serve as administrative and supervisory staff over Akima personnel. During the first day of the inspection the facility housed [REDACTED] adult male ICE detainees of all custody levels. Female detainees are not currently housed at the facility. [REDACTED]

The facility was built in [REDACTED]. The complex is comprised of a [REDACTED] [REDACTED]-story building. All housing and support services in the building are accessed off the main corridor that stretches the length of the building. The outer perimeter of the compound is encircled by two twelve-foot chain link fences with rows of razor ribbon affixed to both fencing runs and a paved perimeter road that is constantly patrolled by an armed officer in a vehicle 24 hours a day. Surveillance cameras offer visibility around the perimeter, into the housing units and common areas, onto the recreation yards, and down the interior movement corridor. All exterior building doors are controlled by central control staff and are under constant camera surveillance through a 198 surveillance camera network that is monitored 24 hours a day. All security and medical staff carry a radio.

The facility consists of nine two-tier general population housing units: [REDACTED] units have [REDACTED]-bed cells, and [REDACTED] units are open dormitory design all with [REDACTED] beds. There is one special management unit (SMU) designed with [REDACTED]-bed cells. The health care unit is not an infirmary, but does contain [REDACTED] observation/treatment rooms, [REDACTED] room with [REDACTED] beds and [REDACTED] rooms with [REDACTED] bed each; [REDACTED] of the rooms have negative air pressure. Each general population housing unit has cell accommodations for a wheelchair.

The SMU is currently used as the COVID-19 quarantine/isolation unit where newly admitted detainees and existing detainees are housed until they are asymptomatic and have negative COVID-19 testing results. During the inspection there was one active COVID-19 case in the facility.



Each housing unit has a common dayroom equipped with two televisions, individual telephone stations, a bank of electronic tablets, an adjacent private LexisNexis computer workstation room, and fixed table/chair units for detainees to eat their meals, play games, and gather for conversation. Tablets are accessible daily from the housing unit officers between 7:00 a.m. to 11:20 p.m. Tablets provide detainees the ability to retrieve the handbooks in several languages; access commissary account balances; submit ICE/facility requests; retrieve all program/activity schedules; send and receive emails; conduct video-visits; file non-medical grievances; view the law library Lexis/Nexis collection; retrieve ICE/ERO and non-profit NGO contact information; use a translation app; read books; play games; watch television programs; and listen to music. Each housing unit has a kiosk for detainees to order their weekly commissary. Each housing unit has direct access to their own recreation yard/area. Indoor/outdoor recreation is provided daily to all detainees. The facility has a gymnasium that serves as an additional indoor recreation space during the winter months.

The inspection team conducted 32 detainee interviews including fifteen formal interviews held in a private office. Seventeen informal detainee interviews were conducted in the housing units, on job assignments, and in the special management unit. Four of the detainee formal interviews required the use of a language line. The detainees' length of stay in the facility ranged from one week to ten months. All of the detainees stated they felt safe at the facility and had not been threatened or mistreated by staff or other detainees. Recreation time was satisfactory. Medical services were satisfactory. Food services were acceptable with minor preferences expressed on variety, taste, and preparation techniques. There were no substantive concerns expressed except for one medical care issue. That concern was discussed with the health services administrator by the medical SME. The concern had previously been addressed and follow-up care had already been scheduled. No further action was necessary. The comments about the food were discussed with the food service manager by the safety SME. All cycle menus have been approved by a registered dietician as meeting or exceeding the nutritional requirements set by the U.S. Recommended Daily Allowance. Detainees meals are based on a 35-day rotation. No further action was necessary. And one detainee complained about mold in the showers of housing unit, C4. This issue was investigated with the complainant by the LCI at the conclusion of our interview. There was no mold in any of the showers anywhere. Upon discovery of the false allegation the detainee proceeded with a litany of other faint concerns. No further action was taken on his comments.

Overall, the detainees were very content with their living conditions, their safety and treatment, the cleanliness of the facility, the food, medical care, and responsiveness from facility and ICE/ERO staff. Most of the detainees were unaware of OIG services, but were instructed as to its purpose and how to contact them. The facility is maintaining an above average level of cleanliness.

Facility staff (ICE/ERO and Akima) were professional in appearance and demeanor. They were informed and responsive when questioned about the expectations of the ICE/ERO standards, their post order duties, and standard operating procedures when carrying out the daily schedule. Interactions between staff and detainees was open and relaxed.



Medical, dental, and mental health services are provided by IHSC and various contract medical employees. Detainee telephone and tablet services are provided by Talton Communication. Line and command security are provided by Akima Global Service, LLC. Maintenance services are provided by Chenga Facilities Management, Inc. Religious services are provided by Jesuit Refugee Service USA. Detainees are not charged co-pays for medical, mental health, or dental care services.

Areas of Concern/Significant Observations

The facility is providing the following optimal levels of service, as described in the standards: 2.12 – Special Management Units (SMU), detainees in the SMU in disciplinary segregation status receive a daily recreation period of one hour per day, and SMU administrative segregation status detainees receive two hours of daily recreation per day; 2.15 – Use of Force and Restraints, use of force audiovisual records are retained by the facility for at least one year after litigation or after any investigation has concluded or been resolved; 4.3 – Medical Care, the facility is accredited by NCCHC; 4.6 – Significant Self-Harm and Suicide Prevention and Intervention, prevention/treatment and therapeutic aftercare for suicidal detainees or detainees at risk for self-harm are within NCCHC standards; 4.7 – Terminal Illness, Advance Directives, and Death, medical care for terminally ill detainees are within NCCHC standards; 5.4 - Recreation, SMU detainees in administrative segregation status are provided outdoor recreation daily for two hours, SMU detainees in disciplinary segregation status are provided outdoor recreation daily for one hour, but detainees are not currently provided a free set of audio ear buds during intake; 5.6 - Telephone Access, the housing units are providing telephones at a ratio of one phone for every ten detainees; and 6.3 - Law Libraries and Legal Materials, detainees are provided law library access hours for more than fifteen hours per week.

This was a hybrid inspection in which some inspectors worked remotely. Remote inspectors were unable to personally observe practices and procedures within the facility and relied upon photographs and/or videos to validate the observation of many standards.

Recommended Rating and Justification

The Lead Compliance Inspector recommends that the facility receive a rating of Meets Standards unless unobserved practices and conditions are contrary to what was reported to the inspection team. The facility complies with the ICE Performance-Based National Detention Standards (PBNDS) 2011 for Over 72-hour facilities. No (0) standards were rated as Does Not Meet Standard and three (3) standards were Not Applicable (N/A). The remaining forty (40) standards were found to Meet Standards.

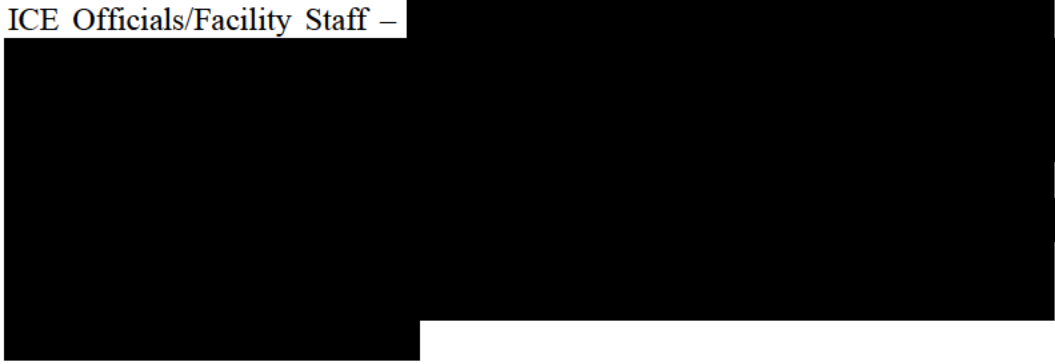
LCI Assurance Statement


The findings are accurately and completely documented on the G-324A Inspection Form and are supported by documentation in the inspection file. An out-brief was conducted at the facility. In addition to the entire Nakamoto Group, Inc. Inspection Team (two SMEs via conference call) the following were present:



The Nakamoto Group, Inc.

- ICE Officials/Facility Staff –



 Lead Compliance Inspector
Printed Name of LCI

August 25, 2022
Date

