

Department of Homeland Security

Immigration and Customs Enforcement: Office of Enforcement and Removal Operations

U.S. Immigration and Customs Enforcement**Facility Significant Incident Summary (SIS)**

Facility Information			
Facility Name:	Phelps County Jail		
Name of Facility Administrator:	[REDACTED]		
Facility Operator:	Phelps County		
Date Current Contract Started:	[REDACTED]	Contract Number:	[REDACTED]

Inspection Information				
Current Inspection Dates:	From:	07/13/2021	To:	07/15/2021
Recommended Rating:	Meets Standards			
Previous Inspection Completion Date:	07/18/2019			
Previous Rating:	Meets Standards			
SIS Comments:	All incident information is recorded on this form and detailed on the G324 or Cover Letter. The blank numeric fields are due to information not provided (medical) or such tally is not recorded.			

ICE HQ USE ONLY: (Do Not Edit)			
Form Key:	41	Revision Date:	4/22/2020
Notes:			

* Enter date fields in format MM/DD/YYYY. Enter year only fields in format YYYY.

* If a field is not applicable, please leave it empty **DO NOT USE N/A.**

Include any comments in SIS Comments on the first page.

A: Accreditation Certificates			
Does the facility have accreditation(s)?	Yes		
Type of Accreditation:			
American Correctional Association(ACA)	No	Date of Last:	
National Commision on Correctional Health Care (NCCHC)	No	Date of Last:	
Joint Commission on Healthcare	No	Date of Last:	
Department of Justice Prison Rape Elimination Act (PREA)	Yes	Date of Last:	11/01/2020
If there are other accreditations list here:	Nebraska Jail Standards compliant		

B: Legal Action(s) (Copies must be attached)	
The Facility is under Court Order or Class Action Finding:	None
The Facility has Significant Litigation Pending:	Major Litigation

C: Facility History			
Year Built:		Year Last Remodel or Upgrade Completed:	
Future Construction Planned?		Future Construction Date if Applicable:	
Items Below Apply to <u>Total Facility Bedspace</u> (all bed types including ICE)			
Curent Bedspace:			
Future Bedspace (# New Beds only):		Date Future Bedspace Available:	
Items Below Apply to <u>ICE Only</u> Facility Bedspace			
Current ICE Bedspace:			
Future ICE Bedspace (# New Beds only):		Date Future ICE Bedspace Available:	

D: Total Facility Population	
Total Facility Intake for Previous 12 Months:	
Total ICE Intake for Previous 12 Months:	
Total ICE Mandays for Previous 12 Months:	

E: Number of Beds by Classification Level (ICE Beds Only)					
Type:	L-1 (Low)	L-2 (Medium)	L-3 (High)	Medical	Segregation
Adult Male					
Adult Female					

F: ICE Facility Capacity			
Type:	Rated	Operational	Emergency
Adult Male	☐	☐	☐
Adult Female	☐	☐	☐

G: Total Facility Capacity			
Type:	Rated	Operational	Emergency
Adult Male	☐	☐	☐
Adult Female	☐	☐	☐
Does Facility hold Juveniles Offenders 16 and Older as Adults?:		No	

H: Average Daily Population			
Type:	ICE	USMS	Other (i.e. Local Jail Inmates)
Adult Male	☐	☐	☐
Adult Female	☐	☐	☐

I: Facility Staffing Levels	
	Number Currently
Authorized Correctional/Security Positions (FTE):	☐
Correctional/Security Position(s) Vacant:	☐
Authorized Medical Staff Positions (FTE):	☐
Medical Staff Position(s) Vacant:	☐
Authorized Non-Correctional Positions (FTE):	☐
Non-Correctional Position(s) Vacant:	☐
	Number in the Previous 12 Months
Correctional/Security Staff Who Left Employment:	☐
Correctional/Security Staff Hired:	☐
Medical Staff Who Left Employment:	☐
Medical Staff Hired:	☐
Number of Non-Correctional Staff Who Left Employment:	☐
Number of Non-Correctional Staff Hired:	☐

J: EMDD (electro-muscular disruption device, e.g. taser) Usage	
The Facility had EMDD on premises during inspection:	☐
If there are comments regarding the use of EMDD at the Facility, enter them here:	

Facility Incidents

The following information must be completed prior to the scheduled inspection dates. The information on this form is used in conjunction with the ICE Detention Standards in assessing your Detention Operations against the needs of ICE and its detained population. Failure to provide this information will delay the processing of this report and possibly reduce the number of detainees at your facility and/or could lead to possible sanctions.

Complete the following items for each month going back the previous 12 months in the boxes provided below. For example, if the inspection is on May 3, 2019, then the months that should be filled out should be from May 2018 through April 2019. Numbers only.

- Definitions are included in Appendix A.
- The majority of the items below pertain to ICE detainees only, as identified in the headings for each category. The only items which include non-ICE detainees (e.g. local/state/or other Federal inmates) are sexual assault allegations (marked with an *) and the items on Page 7 (i.e. deaths, segregation, critical incidents and contraband).

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Physical Assaults/Fights (ICE Only)												
Detainee physical assault on staff – with serious injury	0	0	0	0	0	0	0	0	0	0	0	0
Detainee physical assault on staff – no serious injury	0	0	0	0	0	0	0	0	0	0	0	0
Detainee on detainee physical assault/fight – with serious injury	0	0	0	0	0	0	0	0	0	0	0	0
Detainee on detainee physical assault/fight – no serious injury	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary (ICE Only)												
Disciplinary infractions	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary infractions - Guilty	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary appeals	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary appeals found in favor of detainee	0	0	0	0	0	0	0	0	0	0	0	0
Sanctions over 60 days	0	0	0	0	0	0	0	0	0	0	0	0
Special Housing Units (ICE Only)												
Detainees placed in administrative segregation	0	0	0	0	0	0	0	0	0	0	0	0
Detainees placed in disciplinary segregation	0	0	0	0	0	0	0	0	0	0	0	0
Detainees placed in segregation for medical reasons	0	0	0	0	0	0	0	0	0	0	0	0
Detainees placed in segregation for mental health reasons	0	0	0	0	0	0	0	0	0	0	0	0
Use of Force/Restraints/Strip Searches (ICE Only)												
Immediate use of force incidents	0	0	0	0	0	0	0	0	0	0	0	0
Calculated use of force incidents	0	0	0	0	0	0	0	0	0	0	0	0
Uses of force with chemical agents	0	0	0	0	0	0	0	0	0	0	0	0
Incidents where non-lethal weapons were used	0	0	0	0	0	0	0	0	0	0	0	0
Number of times 4/5 point restraints were used (e.g. restraint chair or bed)	0	0	0	0	0	0	0	0	0	0	0	0
Use of force with serious injury	0	0	0	0	0	0	0	0	0	0	0	0
Strip Searches	0	0	0	0	0	0	0	0	0	0	0	0

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Sexual Abuse and Assault Allegations												
Sexual abuse allegations – detainee on detainee	0	0	0	0	0	0	0	0	0	0	0	0
*Sexual abuse allegations – inmate on detainee	0	0	0	0	0	0	0	0	0	0	0	0
*Sexual abuse allegations – detainee on inmate	0	0	0	0	0	0	0	0	0	0	0	0
Sexual abuse allegations – staff/contractor/volunteer on detainee	0	0	0	0	0	0	0	0	0	0	0	0
Number of sexual abuse allegations – detainee on staff/contractor/volunteer	0	0	0	0	0	0	0	0	0	0	0	0
Substantiated Sexual Assault Allegations												
Sexual abuse allegations – detainee on detainee	0	0	0	0	0	0	0	0	0	0	0	0
*Sexual abuse allegations – inmate on detainee	0	0	0	0	0	0	0	0	0	0	0	0
*Sexual abuse allegations – detainee on inmate	0	0	0	0	0	0	0	0	0	0	0	0
Sexual abuse allegations – staff/contractor/volunteer on detainee	0	0	0	0	0	0	0	0	0	0	0	0
Number of sexual abuse allegations – detainee on staff/contractor/volunteer	0	0	0	0	0	0	0	0	0	0	0	0
Medical (ICE Only)												
Detainees in medical observation	0	0	0	0	0	0	0	0	0	0	0	0
Detainees in mental health observation	0	0	0	0	0	0	0	0	0	0	0	0
Infectious diseases reported (e.g. TB)	0	0	0	0	0	0	0	0	0	0	0	0
Infectious diseases confirmed	0	0	0	0	0	0	0	0	0	0	0	0
Outside medical referrals	1	1	0	0	0	0	0	0	0	0	0	0
Detainees transported to off-site hospitals for emergency care	1	1	0	0	0	0	0	0	0	0	0	0
Admissions to off-site hospitals for medical reasons	1	1	0	0	0	0	0	0	0	0	0	0
Admissions to off-site hospitals for mental health reasons	0	1	0	0	0	0	0	0	0	0	0	0
Sick call requests												
Sick call encounters	9	20	8	1	0	1	8	3	15	4	8	33
Suicide watches/constant watch/mental health observation	0	0	0	0	0	0	0	0	0	0	0	0
Suicide attempts (or self harm)	0	1	0	0	0	0	0	0	0	0	0	0
Hunger strikes	0	0	0	0	0	0	0	0	0	0	0	0

For the Past Year:		Number of ICE Detainees	Number of Non-ICE Inmates
Causes of Death	Natural	0	0
	Homicide	0	0
	Suicide	0	0
	Other	0	0
Segregation	Number of administrative segregation stays over 60 days	0	0
	Number of disciplinary segregation stays over 60 days	0	0
Contraband	Weapons confiscated	0	0
	Drugs (or paraphernalia) confiscated	0	2
	Cell phones confiscated	0	0

For the Past Year:		Number of ICE Detainees	Number of Non-ICE Inmates	Total Number of Incidents (or events)
Critical Incidents	Attempted escapes	0	0	0
	Successful escapes	0	0	0
	Hostage situations	0	0	0
	Work stoppages	0	0	0
	Major Disturbances involving four or more detainees/offenders*	0	0	0
	Total number of grievances filed	0	19	19

*includes gang fights, organized hunger strikes, work stoppages, hostage situations, major fires, or other large-scale incidents

Grievances (ICE Only)		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Safety:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Sanitation:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Medical:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Property:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Staff misconduct:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Use of force:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Food:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Sexual abuse or assault:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Law library:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Mail/Correspondence:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Segregation Placements:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Disciplinary:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Visitation:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												
Other:	# filed	0	0	0	0	0	0	0	0	0	0	0	0
	# Substantiated												

APPENDIX A - Definitions

Administrative segregation: A non-punitive form of separation from the general population to ensure the safety of detainees or others, the protection of property, or the security or good order of the facility, as determined by a facility administrator or supervisor. Administrative segregation may be available, among other reasons, for detainees awaiting investigations or hearings for violations of facility rules, detainees scheduled for release, removal, or transfer within 24 hours, and, under more limited circumstances, detainees who require protective custody or separation from the general population for medical reasons.

Attempted Escape: a detainee or an inmate did something that was a substantial step toward escaping from custody, mere preparation would not be considered a substantial step toward committing the crime of attempted escape. A person missing a count because they were not in the specified location during the count, but are still on the grounds of the facility should not be counted as an attempted escape. Some examples of attempted escape are an overt act to break out of custody, such as trying to break free from an escorting Officer when at an outside clinic or damaging facility plant features to gain access to the outside (i.e. tunneling, scraping bars or walls to create egress).

Average daily population (ADP): The average daily population is based on the Manday count. For every detainee in a facility for the midnight count corresponds to one Manday. The ADP is the number of Mandays for a given time period, divided by the number of days in that time period.

Calculated use of force: Calculated use of force occurs in situations where the detainee is disruptive and is not complying with verbal directions. If a detainee is in a location where there is no immediate threat to the detainee or others (for example, a locked cell or range), staff shall take the time to assess the possibility of resolving the situation without resorting to force. Calculated use of force typically involves specially trained staff and needs to be authorized in advance by the facility administrator (or designee).

Chemical use of force: The use of chemical agents, such as pepper spray, to temporarily immobilize or incapacitate a detainee in order to bring a situation under control.

Detainee physical assault on staff: This includes one or more detainees engaging in an act of violence against a staff member(s) with the intention to harm through force or violence. The item labeled with serious injury required urgent/immediate medical attention and restricted usual activities for the staff member(s).

Disciplinary infractions: Enter the number of charges for each month, not the number of detainees charged. For example, if one incident incurred five charges, enter five not one. This is also the case for disciplinary infractions found guilty.

Disciplinary segregation: A punitive form of separation from the general population used for disciplinary reasons that is available only after a formal finding that the detainee is guilty of a serious prohibited act or rule violation.

Facility operator: This can be either a public or private entity, such as GEO, CoreCivic or a Sheriff etc.

Four/five point restraints: A restraint system that confines an individual to a bed, bunk or restraint chair in either a

supine or prone position.

Formal grievance: A written complaint by a detainee regarding custody treatment, medical treatment, policies and procedures, or other unsatisfactory conditions of confinement.

Hunger strike: A voluntary fast undertaken as a means of protest or manipulation, regardless if the detainee actually declares that he or she is on a hunger strike. Staff are required to refer any detainee who is observed to have not eaten for 72 hours for medical evaluation and monitoring.

Immediate use of force: This occurs when staff must respond without delay to a situation because a detainee's behavior constitutes a serious and immediate threat to self, staff, another detainee, property, or the security and orderly operation of the facility.

Manday(s): A measure of bed space use by detainees. The Manday count is based on whether a detainee is in the facility for the midnight count. For every detainee in a facility for the midnight count, that corresponds to one Manday. The book-in day is counted as a manday. The book-out day is not counted as a manday. A detainee may occupy two mandays on one calendar day if he is booked-in and booked-out from one facility and booked in at another facility on the same day.

Non-lethal weapons: Examples of non-lethal weapons are a collapsible steel baton, a straight or riot baton, taser or impact munitions. Do not include OC (pepper spray) under the use of force and restraints: incidents where non-lethal weapons were used; OC (pepper spray) should be counted under the uses of force with chemical agents.

Outside medical referrals: This includes medical appointments, non-emergency referrals, or specialty appointments.

Physical assault(s): This includes one or more detainees or inmates engaging in an act of violence against another ICE detainee or staff member with the intention to harm through force or violence. The items labeled with serious injury required urgent/immediate medical attention and restricted usual activities.

Sexual abuse and assault: Sexual abuse or assault involves one or more detainees or inmates who, by force, coercion, or intimidation, engages in or attempts to engage in a sexual act. This includes touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing. Sexual abuse of an ICE detainee by a staff member, contractor, or volunteer includes the above and also indecent, profane or abusive language aimed at coercing or pressuring a detainee to engage in a sexual act; repeated sexual statements or comments; display of his or her uncovered genitalia, buttocks, or breast in the presence of a detainee; and voyeurism, which is defined as the inappropriate visual surveillance of a detainee for reasons unrelated to official duties. For a more detailed definition, refer to the Department of Homeland Security regulation 6 CFR Part 115 titled "Standards To Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities."

Staff misconduct: Any incident or allegation of staff misconduct if that misconduct relates to treatment of ICE detainees, to the security or safety of the facility, or to compliance with detention standards or the provisions of the facility's contract with ICE.