July 29, 2021

TO:  
Assistant Director Custody Management

FROM:  
Lead Compliance Inspector  
The Nakamoto Group, Inc.

SUBJECT:  
Annual Detention Inspection of the Polk County Jail

The Nakamoto Group, Inc. performed an annual hybrid inspection for compliance with the ICE National Detention Standards (NDS) of the Polk County Jail in Des Moines, Iowa, during the period of July 27 - 29, 2021. This is an IGSA facility.

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

<table>
<thead>
<tr>
<th>Subject Matter Field</th>
<th>Team Member</th>
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<tr>
<td>Detainee Rights</td>
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<tr>
<td>Security</td>
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<tr>
<td>Medical Care</td>
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<td>Medical Care</td>
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<td>Safety</td>
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**Type of Inspection**

This is a scheduled annual inspection, which is performed to determine overall compliance with the ICE NDS for Over 72-hour facilities. The facility received a rating of Meets Standards during the August 2019 annual inspection.

**Inspection Summary**

The Polk County Jail is currently accredited by:
- The American Correctional Association (ACA) - Yes
- The National Commission on Correctional Health Care (NCCHC) - No
- 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 2019 and 2021 annual inspections:
The inspection team identified thirty-nine (39) deficient components in the following sixteen (16) standards:

Access to Legal Materials – 1
Admission and Release – 1, which is a repeat deficiency
Correspondence and Other Mail – 5, three of which are repeat deficiencies
Detainee Handbook – 1, which is a repeat deficiency
Access to Medical Care – 5, two of which are repeat deficiencies
Terminal Illness, Advanced Directives and Death -1
Contraband – 1
Emergency Plans – 3
Key and Lock Control – 5, one of which is a repeat deficiency
Post Orders -1
Security Inspections – 2
Special Management Unit (Administrative) – 1
Tool Control – 9
Staff/Detainee Communications – 1
Detainee Transfer Standard – 1
Sexual Abuse and Assault Prevention and Intervention - 1

Facility Snapshot/Description

The Polk County Jail is a single-story, brick and concrete structure located on forty acres north of Des Moines, Iowa. The direct supervision facility houses male and female detainees for local jurisdictions, U.S. Marshals Service, and ICE. The jail is operated under the jurisdiction of the Polk County Sheriff's Office.

The facility currently houses ICE detainees of all custody levels. ICE detainees are commingled with detainees from other jurisdictions. There are 34 bunks in the medical holding unit designed to house detainees requiring medical segregation. General population detainees are permitted to be out of their cells the majority of the day, socializing in the dayroom or enjoying other indoor recreational activities. The dayrooms are equipped with televisions, cards, board games, telephones, tablets, and visitation kiosks.

Polk County Jail provides a variety of classes, services, and programs including library services, religious services, Alcoholics Anonymous, Narcotics Anonymous, Substance Abuse Education, Cage Your Rage, Financial Planning, Gamblers Education Program, GED, and a Parenting Program. Detainees are encouraged to participate in these programs.
No detainees volunteered for a formal confidential interview. The inspection team visited each detainee housing unit and conducted no less than fourteen interviews. The inspection team observed detainees interacting with each other, ICE staff, and facility staff. Detainees were relaxed and spoke to the inspectors without hesitation. No detainees were interviewed via a telephonic translation service. Detainees were interviewed informally in groups or in a private setting. Interviews were conducted in the housing units, recreation, and during escort to the intake unit. The detainees voiced no concerns regarding their safety and stated they are treated with respect by facility staff and other detainees.

There were two complaints regarding medical care. The Medical SME provided follow-up information. The medical department was aware of the cases and both had already been scheduled for treatment. There were no concerns regarding telephones, showers, legal access, or recreation. Detainees stated that ICE personnel visit them often and respond to their questions and concerns.

Tablets are available in the housing units to communicate with facility and ICE staff. The tablets contain copies of the detainee handbooks and can be used to watch movies, listen to music, read books, or text with family members. There is no charge for facility communication including grievances, ICE forms, or the review of the handbooks. The charge is between $0.04-$0.06 per minute for all other options.

The facility does not charge co-pays for medical, mental health, or dental care. Health care is provided by WellPath and food service operations are provided by county employees. Sanitation throughout the facility was observed to be above average.

**Areas of Concern/Significant Observations**

**Tool Control** was rated Does Not Meet Standards.

*Policy:* Every facility will establish a tool-control policy with which all employees shall comply. The Maintenance Supervisor shall maintain a computer-generated or typewritten inventory of tools and equipment, and storage locations. These inventories shall be current, filed, and readily available during an audit.

*Findings:* Visitor and contractor tools are not inventoried prior to admittance into or departure from the facility. The disposal of broken or worn-out tools is not documented. The tool control policy addresses the issue of lost tools. The policy fully addresses each of the issues noted in this component. However, documentation was not available to confirm practice. The maintenance staff does not sign tools in/out for the issuance of tools to staff. Policy does not include an accountability system for maintenance tools. There is no tool control procedure in place in the maintenance department. The facility does not have a policy for the regular inventory of tools. Inventories were observed and found incomplete in the maintenance area.

*Recommendation:* A tool control and accountability system should be enforced.

The inspection was conducted with four inspectors on-site and one inspector working remotely. The inspector working remotely was unable to personally observe practices and procedures within the facility. The inspector relied upon photographs and/or videos to validate the observation of many standards. Additionally, interviews were conducted with multiple key staff members.

**Recommended Rating and Justification**

The Lead Compliance Inspector recommends that the facility receive a rating of Acceptable. The facility complies with the ICE National Detention Standards (NDS) for Over 72-hour facilities. One (1) standard
was found Does Not Meet Standard and three (3) standards were Not Applicable (N/A). All remaining thirty-five (35) standards were found to be in compliance.

**LCI Assurance Statement**

The findings of compliance and non-compliance are accurately and completely documented on the G-324 Inspection Form and are supported by documentation in the inspection file. An out brief was conducted at the facility and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following were present:

- ICE Official
- Facility Staff

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<thead>
<tr>
<th>Lead Compliance Inspector</th>
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<tr>
<td>Printed Name of LCI</td>
<td>Date</td>
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