

February 26, 2021

TO: [REDACTED]
Assistant Director Custody Management

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

SUBJECT: **Annual Detention Inspection of the South Texas ICE Processing Center**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS 2011 with 2016 revisions) of the South Texas ICE Processing Center, in Pearsall, Texas, during the period of February 24-26, 2021. This is a CDF.

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

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

Type of Inspection

This is a scheduled annual inspection which is performed to determine overall compliance with the ICE PBNDS 2011 with 2016 revisions for Over 72 hour facilities. The facility received a previous rating of Meets Standards as a result of the February 2020 annual inspection.

Inspection Summary

The South Texas ICE Processing Center 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 2020 and 2021 annual compliance inspections:

<i>2020 Annual Inspection</i>	
Meets Standards	40
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	2

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

The inspection team identified nine (9) deficient components in the following four (4) standards:

- Staff-Detainee Communication - 1, which is a repeat deficiency
- Food Service - 2
- Disability Identification, Assessment, and Accommodation - 3
- Visitation - 3, two of which are priority components

Facility Snapshot/Description

The South Texas ICE Processing Center is owned and operated by The GEO Group, Inc. (GEO). The facility is located sixty miles south of San Antonio in Pearsall, Texas. [REDACTED] [REDACTED] [REDACTED] The facility houses adult male and female ICE detainees of all custody levels. However, the facility has not housed any female detainees since April 2020. [REDACTED]

The facility is a linear design building with all support services, administrative offices, and housing units accessible off one long central corridor. The facility is enclosed by either one or two ten-foot chain link fence segments which are supplemented with razor ribbon and a microwave detection system centered between the fences. A large soccer field was added in 2012 which is enclosed by a twelve-foot chain link fence. There is a paved perimeter road around the compound that is patrolled around the clock by an armed officer in a vehicle. There are 242 surveillance cameras that monitor the entire perimeter, the critical movement corridors, and all common areas inside the facility.

The facility has 26 general population housing units configured into dormitory settings ranging in size from 64 to 100 beds. The day rooms are furnished with televisions, telephones, electronic tablets, tables with fixed seats, and ample open space. All housing units are under direct supervision from an officer(s) stationed inside the housing unit. Each detainee has a personal property storage locker and is provided a combination lock at no charge. The special management unit (SMU) is divided into two separate units; a 36-bed male unit at one end of the facility and a nineteen-bed female unit at the opposite end.

All general population detainees receive at least four hours of outdoor recreation daily. Each general population housing unit has an adjoining recreation yard to which detainees have access between the hours of 7 a.m. and 9 p.m., except during counts. SMU detainees in administrative segregation status receive at least two hours of outdoor recreation seven days per week and SMU detainees in disciplinary segregation status receive at least one hour of outdoor recreation seven days a week.

The electronic tablets, provided by Talton Communications, have the functionality to process non-medical grievances, detainee requests, and other services. Communications with facility and ICE staff via the tablets are free. Most detainee requests to ICE are processed via the electronic tablets. Although non-medical grievances may be processed via the tablets, to file a grievance regarding medical issues detainees are instructed to complete a paper grievance and deposit it in a locked box found in each housing unit



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labeled Medical Grievances. There are also a lesser number of electronic tablets in each housing unit on which, for a fee, detainees may video chat with friends and family.

All detainees arriving at the facility are placed in a fourteen-day cohort (quarantine status) due to COVID-19 protocols. Upon arrival detainees are offered a COVID-19 test. Detainees are classified prior to placement in the cohort status.

ICE suspended on-site general/social visitation for ICE detainees in March 2020. However, the facility continues to offer fee-based virtual visitation to detainees and visitors via the electronic tablets during the on-site visitation suspension. All detainees are also provided with thirteen, ten-minute free telephone calls per week. Legal and professional visits are exempt from the on-site visitation suspension.

Seventeen detainees were interviewed individually by telephone. Eight of the interviews were with detainees with limited English proficiency (LEP); a telephonic translation service was used to interview these detainees. Three of the seventeen interviews were with detainees housed in the restricted housing unit and four of the detainees interviewed were in medical housing. None of the detainees expressed any concerns regarding life/safety issues. The detainees interviewed were aware of the grievance process and the availability of the OIG hotline.

One detainee complained that he was unable to complete an international telephone call. Facility staff were notified and facilitated the call for the detainee. Other detainees interviewed stated they had no problems making international telephone calls. Another detainee stated he had attempted to speak to an ICE representative but had been unable to do so. The detainee told the inspector he called the OIG hotline and filed a complaint. According to the detainee, the OIG hotline representative told him to wait one more week and then call back if he did not have the opportunity to speak to an ICE officer. The one-week deadline would have been the day after the Nakamoto team member spoke to the detainee. The ICE DO-COR for the facility was advised of the issue and tasked an ICE officer to speak to the detainee the same day of the interview with the Nakamoto team member. Another detainee stated he was told he had high blood pressure but had not been prescribed medication. The IHSC Health Services Administrator (HSA) was advised and ordered a follow-up assessment of the detainee. The same detainee stated he hurt his knee playing soccer in January and received a brace that was too large. A review of the medical record by the HSA revealed that the detainee had initially complained of a knee issue in December 2020. He was treated with an ICE pack for two days and provided Ibuprofen. A lower bunk special need was indicated. The detainee was advised to return to sick call if needed. He then returned on January 12, 2021, requesting only his special need for the lower bunk be renewed, which it was. On January 25, 2021, he returned again with knee pain that reportedly began two weeks prior while playing soccer. He was given the knee brace at this encounter; there is no documentation of the brace not fitting and the medical department has received no complaints from the detainee regarding the brace. The HSA scheduled the detainee for a follow-up assessment.

The facility does not charge co-pays for medical, mental health, or dental care. Medical services are provided by IHSC.

Detainee telephone services are provided via the national ICE contract with Talton Communications. All other services are provided by the GEO Group, Inc.

The facility achieves optimal compliance in the following standards:

Admission and Release: Policy stipulates that a strip search of a transgender detainee would be observed by medical staff.



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Special Management Units: Detainees in the special management unit for administrative reasons are afforded recreation two hours per day, seven days per week. Detainees in the special management unit for disciplinary reasons are afforded recreation one hour per day, seven days per week.

Use of Force: Audio visual recordings are retained for one year after the conclusion of investigations and/or litigation.

Medical Care: The facility is NCCHC accredited. Also, adequate space and staffing is available for ICE Tele-Health systems.

Medical Care (Women): OB-GYN health care complies with NCCHC standards.

Significant Self-Harm and Suicide Prevention and Intervention: Prevention, treatment, and therapeutic aftercare for suicidal detainee or detainees at risk for self-harm are within NCCHC standards.

Terminal Illness, Advanced Directive and Death: Medical care for terminally ill detainees complies with NCCHC standards.

Recreation: Detainees housed in the general population are afforded four hours per day of outdoor recreation.

Telephone Access: The facility provides at least one telephone for every ten detainees and has specialized video equipment available for deaf/hard of hearing detainees.

Law Libraries and Legal Materials: Detainees are afforded fifteen hours per week access to the law library upon request.

Areas of Concern/Significant Observation

The inspection team identified two (2) deficient priority components:

Visitation

Component #5- General visitation is permitted during set hours on Saturdays, Sundays, and holidays, and, to the extent practicable, the facility also establishes visiting hours on weekdays and during evening hours. The facility accommodates the scheduling needs of visitors for whom scheduled visiting hours pose a hardship. The number of visitors a detainee receives and the length of visits are limited only by reasonable constraints of space, scheduling, staff availability, safety, security, and good order.

Finding: General visitation was suspended by ICE in March 2020 due to the COVID-19 pandemic. Per the OIC and substantiated by a review of policy, prior to the imposition of the suspension the facility met the requirements of the standard. Detainees continue to have access to social visits, seven days per week, via the electronic tablets located in each housing unit. However, these visits are all fee based. Detainees do not have a no-fee option available for social visits in order to meet the basic requirements of the standard. The telephone vendor is providing detainees with thirteen, ten-minute free telephone calls each week to mitigate the impact of the suspension. Per the OIC and the compliance administrator, whenever ICE authorizes on-site general visitation to resume, visitation will be permitted seven days per week, including Saturdays, Sundays and holidays, and will be limited only by reasonable constraints of space, scheduling, staff availability, safety, security, and good order as required by the component.



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Recommendation: The facility should explore options to provide detainees with no-fee video visits on Saturday, Sundays and holidays, and, to the extent practicable, visits on weekdays and during evening hours, until such time as ICE discontinues the suspension for on-site social visitation.

Component #9: The facility's written rules shall specify time limits for visits. Visits should be for the maximum period practicable but not less than one hour with special consideration given to family circumstances and individuals who have traveled long distances.

Finding: General visitation was suspended by ICE in March 2020 due to the COVID-19 pandemic. Per the OIC and substantiated by a review of policy, prior to the imposition of the suspension the facility met the requirements of the standard. Detainees continue to have access to social visits, seven days per week, with no time constraints, via the electronic tablets located in each housing unit. However, these visits are all fee based. Detainees do not have a no-fee option available for social visits to meet the basic requirements of the standard. The telephone vendor is providing detainees with thirteen, ten-minute free telephone calls each week to mitigate the impact of the suspension. Per the OIC and the compliance administrator, whenever ICE authorizes on-site general visitation to resume, visitation will be permitted seven days per week, including Saturdays, Sundays and holidays, and will permit on-site visits of no-less than one hours with special consideration given to family circumstances and individuals who have traveled long distances.

Recommendation: The facility should explore options to provide detainees with no-fee video visitation for a minimum of one hour per week until such time as ICE discontinues the suspension for on-site social visits.

The inspection was conducted remotely and inspectors were unable to personally observe practices and procedures within the facility. The inspection team relied upon a review of policies, procedures, logs, 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 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 with 2016 revisions). No (0) standards were found Does Not Meet Standard and three (3) standards were Not Applicable (N/A). All remaining forty (40) standards were found to Meet Standards.

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 by telephone conference call and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following persons participated in the call:

- ICE Officials - [REDACTED]

- Facility Staff - [REDACTED]



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[REDACTED]

[REDACTED]

[REDACTED], Lead Compliance Inspector

February 26, 2021

Printed Name of LCI

Date

[REDACTED]