



March 3, 2021

TO: [REDACTED]
Assistant Director Custody Management

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

SUBJECT: **Annual Detention Inspection of the Boone County Jail**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards of the Boone County Jail, Burlington, Kentucky during the period of March 1-3, 2021. This is an IGSA facility.

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

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

Type of Inspection

This is a scheduled annual inspection that is performed to determine overall compliance with the ICE NDS for Over 72-hour facilities. The facility received a previous rating of Meets Standards as a result of the March 2020 annual inspection.

Inspection Summary

The Boone County Jail is currently accredited by:

- The American Correctional Association (ACA) – No
- 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 2020 and 2021 annual compliance inspections:



2020 Annual Inspection	
Meets Standards	36
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	3

2021 Annual Inspection	
Meets Standards	35
Does Not Meet Standards	1
Repeat Finding	0
Not Applicable	3

The inspection team identified twenty-one (21) deficient components in the following nine (9) standards:

- Correspondence and Other Mail—1, which is a repeat deficiency
- Food Service—1
- Recreation—3
- Access to Medical Care—2
- Special Management Unit (Administrative Segregation)—4
- Special Management Unit (Disciplinary Segregation)—3
- Use of Force—1, which is a repeat deficiency
- Staff/Detainee Communications—4
- Detainee Transfer Standard—2, both of which are repeat deficiencies

Facility Snapshot/Description

The Boone County Jail, Burlington, Kentucky, is owned by Boone County and operated under the jurisdiction of the jailer, an elected public official. The jailer is responsible for daily operations and reports to the Boone County Fiscal Court. The facility is located about ten miles southwest of Cincinnati, Ohio. The facility houses adult male and female ICE detainees of all classification levels, U.S. Marshals Service detainees, Boone and surrounding county inmates, State of Kentucky inmates, and U.S. Bureau of Prisons inmates.



The physical plant was built in 2005. It is a one-story building that houses the detention center and all its support services. The facility has 42 individual general population dormitory-style housing units ranging in capacity from seven to ten beds. ICE detainees are housed with non-ICE detainees of compatible custody levels. Two special management units serve all populations: one sixteen-bed unit for males and one four-bed unit for females.

The exterior walls of the building comprise the facility's secure perimeter. The outside of the building is periodically foot patrolled by an unarmed deputy. All exterior doors of the building are under camera surveillance and checked each shift; access is governed by control center deputies. The entire perimeter and most of the facility interior are under the constant oversight of control center deputies who monitor a 148-surveillance camera network. Camera coverage provides sightlines into all movement corridors and common areas.

All detainees have access to a television, telephone, video-visit station, library books, and personal hotspots and have the same law library, recreation, and visiting privileges regardless of their classification level or housing assignment. Telephones are provided in the general population dayrooms at a ratio of one telephone to ten detainees.





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

Sixteen detainees were interviewed individually by telephone. Eight interviews were with detainees with limited English proficiency (LEP); a telephonic translation service was used to interview these detainees. All detainees interviewed were housed in the general population since there were no ICE detainees housed in the segregation management unit during the inspection. None of the detainees expressed concerns regarding life/safety issues. Most detainees interviewed stated they are treated respectfully by facility staff. The detainees interviewed were aware of the grievance process and the availability of the OIG hotline.

Although one detainee stated he was unaware of a law library, some of the detainees said they had indeed requested and received access to the law library.

Several detainees stated they were not regularly afforded the opportunity for recreation. Per the lieutenant, due to COVID-19 protocols that prohibit mixing housing units in the recreation yard, detainees may not receive inside or outside recreation regularly.

Other detainees complained they had not seen an ICE officer in several months. Follow-up with the ICE DCSO confirmed that ICE personnel have not been in the facility to visit detainees or observe facility conditions and operations since April 2020.

Two detainees from Romania could not recall receiving a handbook during the admissions process. Documentation was presented by the facility substantiating that the detainees had signed the acknowledgment of receipt of a handbook during intake processing. The detainees spoke no English, so it was unclear if they were aware of what they were signing.

Another detainee stated he had a check for \$420 in his possession when he arrived at the facility. The facility has no record of the detainee arriving with these funds. Facility staff provided the detainee a form and instructions on how to contact ICE regarding the alleged missing funds.

The facility does not charge co-pays for medical, mental health, or dental care.

Detainee telephone services are provided via a contract with Combined Public Communications. Medical, food and building maintenance services are provided by Boone County employees.

Areas of Concern/Significant Observation

Staff-Detainee Communication Standard-Rated Does Not Meet Standard

Policy: Procedures must be in place to allow for formal and informal contact between key facility staff and ICE staff and ICE detainees and to permit detainees to make written requests to ICE staff and receive an answer in an acceptable time frame.

Finding: The standard requires that the ICE Field Office Director ensures that weekly announced and unannounced visits occur at the IGSA and that detention and deportation staff conduct scheduled weekly visits with detainees held in the IGSA. The Chicago Field Office Director suspended all in-person visits effective April 6, 2020, due to COVID-19. Since that time, there have been no announced or unannounced visits by ICE personnel at this IGSA. Additionally, a review of responses to detainee requests



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substantiated that responses are not always completed and returned to the detainee within 72 hours as required by the standard.

Recommendation: The Chicago Field Office Director conduct an assessment to determine if it is safe for ICE staff to resume announced and unannounced visits to this IGSA. Additionally, procedures should be implemented to ensure that responses to ICE detainee requests are timely and within 72 hours of receipt as required by the standard.

The inspection was conducted remotely and inspectors were unable to personally observe practices and procedures within the facility. The inspection team 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 National Detention Standards. One (1) standard was rated Does Not Meet Standard and three (3) standards were Not Applicable (N/A). All remaining thirty-five (35) 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]

[REDACTED]

[REDACTED], Lead Compliance Inspector

March 3, 2021

Printed Name of LCI

Date

[REDACTED]