



The Nakamoto Group, Inc.

March 3, 2022

TO: [REDACTED]
Acting Assistant Director Custody Management

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

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

The Nakamoto Group, Inc. performed an annual hybrid inspection for compliance with the ICE National Detention Standards of the Boone County Jail in Burlington, Kentucky during the period of March 1-3, 2022. This is an IGSA facility.

The inspection was performed under the guidance of Lead Compliance [REDACTED] 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 NDS for Over 72-hour facilities. The facility received a previous rating of Meets Standards during the March 2021 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 March 2021 and 2022 annual compliance inspections:



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

March 2022 Annual Inspection	
Meets Standard	36
Does Not Meet Standard	0
Repeat Finding	0
Not Applicable	3

The inspection team identified thirteen (13) deficient components in the following eight (8) standards:

- Correspondence and Other Mail – 1, which is a repeat deficiency
- Recreation – 2, which are both repeat deficiencies
- Hold Rooms – 1
- Special Management Unit (Administrative Segregation) – 2, which are both repeat deficiencies
- Special Management Unit (Disciplinary Segregation) – 2, which are both repeat deficiencies
- Tool Control – 1
- Use of Force – 1, which is a repeat deficiency
- Staff-Detainee Communication – 3, which are all repeat deficiencies

Facility Snapshot/Description

The Boone County Jail (BCJ) is located in Burlington, Kentucky and is owned by Boone County and operated under the jurisdiction of the Jailer, an elected public official. The Jailer reports to the Boone County Fiscal Court. The facility is situated in a rural area ten miles southwest of Cincinnati, Ohio. BCJ has a capacity of [REDACTED] beds housing all custody levels of adult male and female detainees for ICE, State of Kentucky inmates, U.S. Marshals Service detainees, U.S. Bureau of Prison inmates, and Boone and surrounding county inmates. The count on the first day of the inspection was [REDACTED] of which [REDACTED] were [REDACTED] ICE detainees. [REDACTED]

The facility is a single-story structure with [REDACTED] general population dormitory-style housing units ranging in capacity from [REDACTED] to [REDACTED] beds. At the time of inspection, two dormitories were not in use due to the low number of detainees being housed at the facility. ICE detainees are housed with non-ICE detainees of same or similar classification levels. There are two special management units (SMU) at this facility; one [REDACTED]-bed unit for males and one [REDACTED]-bed unit for females. The facility does not maintain infirmary care beds in their medical unit.

The living units inspected were found to be well lit with both natural and artificial light and observed adequate open space for detainees. The dayrooms are furnished with tables and chairs for detainees to participate in leisure time activities, socializing, playing board games, and playing cards. Televisions are available for detainees to view and detainees have access to a kiosk for video visitation. Computer tablets are not available to ICE detainees housed at this facility; however, chirping devices, which are used by detainees for text messaging family and friends, are available through the telephone provider for a fee. During the inspection several chirping devices were observed in use. Group religious services have been suspended due to health concerns associated with the COVID-19 virus. On-site video visitation is available to detainees for free with visiting sessions lasting thirty minutes each. Remote video visitation is available to detainees for a fee as a general visitation option if family members cannot travel to the facility for an on-site visiting session. As a COVID-19 precaution, all newly received detainees are quarantined upon admission to the facility for fourteen days. Detainees complaining of symptoms will be COVID-19 tested immediately. There are three outdoor recreation yards and four indoor recreation areas available to detainees. Recreation yards have toilet facilities and drinking water available for detainees. ICE detainees do not participate in the voluntary work program but assist with cleaning tasks in their living quarters.



The facility is climate controlled, and the physical plant was found to be in good repair. All staff interviewed was well-versed in facility guidelines and operating procedures as well as the National Detention Standards. Deputy jailers and other staff were professional during interviews and detainees interviewed spoke willingly and respectfully. The facility employs few bilingual staff and relies primarily on translation services to communicate with LEP detainees. A review of sanitation inspection reports, interviews with staff and detainees, and observation by on-site SMEs concluded that the sanitation level of the facility was acceptable.

The inspection team interviewed forty detainees housed at the facility during the inspection including 25 formal interviews. LEP detainees were interviewed with the assistance of an interpreter and bilingual inspection team members. There were no substantive concerns voiced when asked about personal safety, access to mail, law library access, or the quality of food served. SMEs verified that memoranda, posters, and other types of key information are posted in English and Spanish throughout the facility. While conducting formal interviews, all detainees complained that recreation was not being offered at the frequency required by the standard; generally stating that recreation was only being offered once or twice each week. Also, detainees complained that when they are offered recreation, it is usually during pre-dawn hours when most detainees are sleeping. A review of the Jail Management System (JMS) that tracks detainee activity and services through real-time bar code scanning confirmed that the allegations had merit noting a large number of recreation refusals that were logged into JMS between 12:00 a.m. and 5:00 a.m. These concerns were brought to the attention of the Jailer and the assigned ICE Deportation Officer. The Jailer informed the inspection team that the facility was still under COVID-19 protocols and staff were doing their best to provide some recreation to detainees. Many detainees stated that they did not receive a local or National Detainee Handbook when being processed into the facility. A review of completed admission documents found that detainees are signing a statement indicating that they have received both the local and National Detainee Handbook. Also, the facility has created a continuous feed electronic version of the local handbook which is broadcasted on a designated channel of all housing unit televisions. While touring the facility throughout the inspection, team members observed a large amount of National Detainee Handbooks stacked on a counter in the intake but away from where detainees are normally processed. Facility staff stated that once detainees are processed into the facility they are informed that the handbooks are on the counter if they want one. This concern was brought to the attention of the Jailer who agreed to have this issue reviewed to ensure that handbooks are available to detainees in line with standards requirements. During interpreter assisted LEP interviews, three detainees shared medical concerns regarding a toothache, skin rash, and anxiety and persistent worrying. The medical SME reviewed the detainees' medical records and spoke to the HSA regarding their concerns. Two of the detainees were placed on the daily sick call list and assessed by the facility nurse that day. The detainee who complained of anxiety and persistent worrying was evaluated by mental health staff soon after the concern was brought to the medical SME's attention. Detainees were reminded of the proper procedures for filing grievances and the availability of the OIG hotline for submitting complaints.

Medical and food services are provided by Boone County employees. The facility does not charge co-pays for medical, mental health, or dental care. The facility doctor, dentist, and mental health services are contracted with local providers. The detainee telephone and kiosk systems are provided by Combined Public Communications.

Areas of Concern/Significant Observations

The inspection was conducted as a hybrid. Three inspectors were on site and two inspectors worked remotely. The remote inspectors were unable to personally observe practices and procedures within the facility and relied on on-site inspector's observations, photographs, and/or videos to validate the observation of many standards.



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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. No (0) standard was rated as Does Not Meet Standard and three (3) standards were Not Applicable (N/A). All remaining thirty-six (36) standards were found to Meet Standards.

LCI Assurance Statement

The findings of compliance and non-compliance are accurately and completely documented on the G-324A Inspection Form and are supported by documentation in the inspection file. An out brief, with some participating telephonically, was conducted and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following participated:

- ICE Officials – [REDACTED]
- Facility Staff – [REDACTED]

[REDACTED] Lead Compliance Inspector	March 3, 2022
Printed Name of LCI	Date