

August 26, 2021

TO: [REDACTED]
Acting Assistant Director Custody Management

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

SUBJECT: **Annual Detention Inspection of the Buffalo Federal Detention Facility**

The Nakamoto Group, Inc. performed an annual hybrid inspection for compliance with the ICE Performance Based National Detention Standards (PBNDS 2011) of the Buffalo Federal Detention Facility in Batavia, New York during the period of August 24-26, 2021. This is an SPC.

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 PBNDS 2011 for Over 72 hour facilities. The facility received a previous rating of Meets Standards during the 2020 annual inspection which was conducted in March 2021 due to COVID-19 cancellations.

Inspection Summary

The Buffalo Federal Detention Facility is currently accredited by:

- The American Correctional Association (ACA) - Yes
- The National Commission on Correctional Health Care (NCCCHC) - 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 (conducted March 2021) and 2021 PBNDS 2011 compliance annual inspections:



<i>2020 Annual Inspection</i>	
Meets Standards	42
Does Not Meet Standard	0
Repeat Finding	0
Not Applicable	1

<i>2021 Annual Inspection</i>	
Meets Standards	41
Does Not Meet Standard	0
Repeat Finding	0
Not Applicable	2

There were no deficient components identified during this inspection.

Facility Snapshot/Description

The Buffalo Federal Detention Facility is owned and operated by Immigration and Customs Enforcement and is located in the northern outskirts of Batavia, New York in a primarily commercial area. The direct supervision facility houses adult male ICE detainees of all custody levels. [REDACTED]

The facility is a single level structure, save the two-leveled tiers in the housing units. There are nine general population housing units; six dormitories and three cellblocks. Three of the housing units contain two cells each designed for detainees with disabilities. Additionally, the facility has a special management unit (SMU) consisting of 32 single cells. The special management unit was under COVID-19 quarantine during the inspection.

The general population housing unit dayrooms are furnished with tables, chairs, televisions, telephones, a computer equipped with LexisNexis, electronic tablets programmed with games and music, board games, and exercise equipment such as pull-up bars, exercise bikes, and elliptical machines. Detainees are provided access to an outdoor recreation yard attached to each housing unit which they may frequent from dawn until dusk weather permitting. The facility has a gymnasium for basketball and cardiovascular exercises. The gymnasium is not currently being used due to COVID-19 restrictions. The outdoor recreation hours allotted for detainees in both the general and SMU population meets the benchmark for optimum compliance.

Facility staff were professional in appearance and demeanor, and most possess a working knowledge of the standards as they apply to their individual duties. Interactions between staff and detainees, and among detainees in the housing units, appeared relaxed.

The inspection team conducted no less than 35 detainee interviews including ten formal interviews. Several LEP detainees were interviewed as well. A few detainees stated that they were not permitted to visit; however, visitation is being offered. The detainees were referred to the visitation information in the handbooks and on the bulletin boards to access visitation. A few detainees stated that they did not get enough food. The safety SME confirmed that the portions and caloric content of the meals were within the requirements of the standards. Seven detainees stated that the commissary prices were too high. Commissary prices are not addressed in the standards. A number of detainees complimented the food, and the general sentiment is that they are treated with respect at this facility.

LEP detainees gave no indications, nor made any claims, that they were not safe. They further did not complain about any issues with access to services or communication in the housing units; although, the housing unit officers indicated that they seldom utilize the language line with LEP detainees. The officers stated that they communicate through other detainees. As none of the information announced in the housing units is confidential ostensibly there is no conflict with the standards; however, the resulting conver-



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sations when a detainee responds or approaches an officer for assistance, and does so through another detainee, could in fact raise issues of confidentiality, HIPPA, etc.

Detainees are not charged a co-pay for any health services. Medical care is provided by ICE Health Services Corp (IHSC). Akima Global Services, LLC provides security, food service, and laundry staff. Chenega Facilities Management provides maintenance services.

Areas of Concern/Significant Observations

The inspection was conducted as a hybrid. Four inspectors were onsite and one inspector worked remotely.

Of note is that the facility achieves optimum compliance in regards to outdoor recreation time; SMU recreation time; retention of physical response documentation; NCCHC accreditation; adequate space and staff for tele-health systems; prevention, treatment, and therapeutic aftercare for suicidal detainees within NCCHC Standards; medical care for terminally ill within NCCHC Standards; opportunity to access the law library at least fifteen hours per week; wireless headsets for television viewing offered to detainees; and at least one telephone for every ten detainees.

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. No (0) standards were found Does Not Meet Standards and two (2) standards were Not Applicable (N/A). All remaining forty-one (41) 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 and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following participated:

- ICE Officials - [Redacted]
- Facility Staff - [Redacted]

[Redacted]
Printed Name of LCI

August 26, 2021
Date