

December 17, 2021

TO: [REDACTED]
Acting Assistant Director Custody Management

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

SUBJECT: **Annual Inspection of the Eden Detention Center**

The Nakamoto Group, Inc. performed a hybrid annual inspection for compliance with the ICE National Detention Standards (NDS Over 72-Hours) of the Eden Detention Center in Eden, Texas during the period of December 14-17, 2021. This is an IGSA facility.

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 National Detention Standards (NDS) for over 72-hour facilities. The facility received a rating of Meets Standards during the December 2020 annual inspection.

Inspection Summary

The Eden Detention Center 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 2020 and 2021 annual inspections:

<i>2020 Annual Inspection</i>	
Meets Standards	38
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	1

<i>2021 Annual Inspection</i>	
Meets Standards	38
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	1

The inspection team identified nineteen (19) deficient components in the following eleven (11) standards:

- Access to Legal Materials – 1
- Food Service – 3
- Visitation – 5
- Hunger Strikes – 1
- Suicide Prevention and Intervention – 1
- Terminal Illness, Advance Directives, and Death – 1
- Environmental Health and Safety – 1
- Security Inspections – 1
- Use Of Force – 1
- Staff Detainee Communication – 3, two of which are repeat deficiencies
- Sexual Abuse and Assault Prevention – 1

Facility Snapshot/Description

The Eden Detention Center is located in Eden, Texas. The facility is located 45 miles southwest of San Angelo, Texas. The facility is owned and operated by CoreCivic. The facility was built in [REDACTED] and until 2017 served as a contract facility for Federal Bureau of Prisons inmates. The facility was closed for two years and reopened in May 2019 under contract with the United States Marshal Service and Immigration and Customs.

On the first day of the inspection the total population was [REDACTED] which included [REDACTED] male ICE detainees and [REDACTED] United States Marshals Service (USMS) inmates. Currently, the facility houses male and female USMS inmates and adult male ICE detainees of all custody levels. [REDACTED]

The facility is comprised of seven dormitory style housing units for general population and two specialty housing units. One specialty housing unit, with [REDACTED] double-bunked cells, is designated for ICE detainees with a high security classification level. The second unit, with [REDACTED] double-bunked cells, houses detainees in administrative and disciplinary segregation status. Direct supervision for each general population housing unit is provided by two officers and a roving patrol officer in each unit. The two specialty units are under direct supervision with one officer on duty at all times. The facility's perimeter security fence consists of two twelve-foot fences topped with razor wire and a stun fence between the two fences.

Each housing unit dayroom is furnished with tables, chairs, a television, a microwave, telephones, and a sufficient number of showers and wash basins. Each housing unit is provided with a computer equipped with LexisNexis available for detainee use during facility waking hours. Detainees are provided with electronic tablets which may be used for video visitation, telephone communication, games, LexisNexis



and written requests. Detainees in general population have access to the outdoor recreation area two hours per day, seven days a week.

Operational changes due to COVID-19 include no longer serving meals in the dining room. All meals are served in the dormitories. General visitation is conducted through video visitation. On-site attorney visitation is authorized. Non-contact visitation is encouraged. ICE detainees receive 500 minutes monthly to use on the detainee phone system in order to stay in contact with family and friends. Sanitation in housing units is required at a minimum of once per twelve-hour shift. Spray on disinfectant is also available at all phones and recreation equipment. All detainees exiting the facility have their temperatures checked and are provided literature on the communicability of COVID-19 and are provided hand sanitizing items if they are being released.

The inspection team conducted twelve formal interviews. Twenty detainees signed up for the interviews, but chose not to speak to the inspectors. The reason given by the detainees who decided to forgo the formal interview: "detainees do not want to speak to anyone who cannot help them with their case." No less than 26 informal interviews were conducted in the recreation yard, dormitories, and during movement. The Language Line was used when interviewing detainees with limited English proficiency. There were no complaints regarding recreation, conditions of confinement, or telephone services. Detainees, without exception, stated that they felt safe in the facility.

Detainee one (in the facility four months, 54-years old) complained about dental treatment and a lapse in prescription medication. Medical record review by the medical SME indicated, in response to a sick call request, the detainee was evaluated by the dentist on 09/14/2021. The dentist documented a long and very detailed examination and plan. Review of medication administration records dating from admission through November 2021 did not indicate any lapses in monthly medication renewals.

Detainee two (in the facility six months, 37-years old) complained about cataracts and a hernia. Medical record review by the medical SME indicated, in response to a sick call request dated 10/23/2021, the detainee was evaluated the same day for an eye examination request. The detainee was referred to the PA and evaluated 11/01/2021 at which time the PA ordered an optometry consultation. Due to a change in personnel, the MedPar request did not get submitted until 12/14/2021 and the facility is awaiting approval from ICE officials; however, a tentative appointment date has been scheduled for 01/18/2022. Regarding the hernia issue, medical record review indicated the detainee provided a history of a hernia during his admission medical screening dated 06/29/2021. During the fourteen-day admission physical assessment, the hernia was noted, but there was no plan of treatment. In response to a sick call request submitted 08/18/2021, for pain in the area of the hernia, the detainee was issued a scrotal support on 09/01/2021. The detainee has submitted no further sick call requests since being provided the support.

Detainee three (in the facility five months and two weeks, 40-years old) complained of medical concerns. Medical record review indicated during the admission medical screening, dated 10/08/2021, the detainee reported a history of left shoulder pain for the past six months. The complaint of left shoulder pain was noted on the fourteen-day physical assessment, and medication was ordered and has been provided since that time. In response to a sick call request dated 11/05/2021, for shoulder pain, the detainee was evaluated on 11/08/2021, and referred to the physician. The detainee was evaluated by the physician on 11/12/2021 at which time the medication was continued, an orthopedic consultation ordered, and a MedPar request submitted. The MedPar request was approved on 11/29/2021, and an appointment date was requested from the orthopedic physician's office with no response. On 12/06/2021, there was a second request for an appointment date with no response. On 12/12/2021, there was a third request for an appointment date with no response to date. The facility is researching another orthopedic physician who will evaluate the detainee.



The Nakamoto Group, Inc.

Detainee four (in the facility three months, 35-years old) complained about lack of ICE presence in the detainee housing units and a lack of response when submitting ICE request forms. The complaint was forwarded to the SDDO. Documentation confirmed standard requirements have not been met regarding response times and on-site visits by the ICE officers.

Detainee five (in the facility three months, 51-years old) complained about the inoperability of the Law Library kiosk in the detainee housing unit. He also claimed the “information is not updated”. The Law Library kiosk in one detainee dorm was found not to be operable. However, both computers were programmed with the current LexisNexis format.

Detainee six (in the facility less than one month, 39-years old) complained that he needed a personal passport located in his personal property when he was admitted into the facility. The detainee claimed he needed the passport for his release. Facility staff were interviewed regarding this claim and it was found the detainee’s passport was properly inventoried at receiving and was recently sent to ICE. The detainee was advised.

Detainees seven and ten complained that no barber is available to detainees. Barbering services have been reinstated; barbering was stopped for a period of time due to COVID-19 concerns and was found to be a deficiency. The option was provided for detainees to cut their own hair during this period. The detainee was advised of the operational guidelines by the unit manager.

Detainees eight and nine complained that no facility clerk was available to assist with library needs; specifically checking out general library books. The detainee stated that library services are provided to include printing, copying, and notary services. Facility staff stated the clerk position was eliminated; detainees may request library materials at any time with delivery of the materials every Thursday in the housing units. This process was put in place due to COVID-19 concerns.

Detainees eleven and twelve had no complaints. The detainees stated that the staff are professional, recreation is readily available, and the facility provides cleaning supplies.

Detainee (eighteen months in ICE custody, thirteen months in this facility) reported a history of kidney stones since 2006 with treatment prior to entering ICE custody. In September 2021, his symptoms returned. He stated he was not being treated other than receiving pain medication. He reported that he was referred to a community urologist on 12/07/2021, and no recommendations for treatment or testing was offered. A follow-up with medical staff and review of the urologist’s report of 12/07/2021 indicated the urologist recommended a CT Scan of the abdomen but the detainee reported he is being released soon and will follow-up in the community upon his release. No CT Scan was ordered by the facility or a MedPar created due to the detainee’s comments to the urologist. Medical staff stated they would contact the detainee and have the in-house physician re-evaluate the detainee and order the CT Scan if the detainee agrees. There is no information to support the detainee’s claims of a release in the near future. The detainee also reported that his attorney filed a bond hearing in the courts this past week for his immediate release. The detainee reported that he has used services in the facility such as commissary, recreation, law library and religious services and stated that he had no issues and that the services are “ok.” He would not expand further. The detainee stated the food is “not good” and that he reported this issue to “other auditors” and again, would not expand further after this interviewer requested additional information.



The Nakamoto Group, Inc.

Informal interviews were conducted with 26 detainees. The topics that were raised included the following: lack of response verbally and in writing by ICE staff; lack of access to the facility library and materials; and no shoes for outdoor wear. Inspectors were advised that outdoor shoes and socks are available. Detainees complained about the food including portions and lack of fruit and milk. The safety SME confirmed that the menu meets the dietary requirements of the standard. Three detainees advised the inspector that "they have been waiting for months to be deported." Both detainees discussed their situation with the ICE officer. The ICE officer advised the SME that all three detainees were waiting for travel documents.

During detainee interviews several detainees conveyed concerns regarding food quality. A single detainee conveyed the facility had "fined" Trinity Service Group (TSG) for serving moldy food. The warden clarified that non-ICE detainees had been served sack lunches that were "moldy", and the lunches were remade. There also was no "fine" imposed. There were further concerns voiced regarding appearance of trays. It appears that tray contents may spill over onto other compartments during transport from the kitchen to housing unit. The warden stated more stable carts are in the procurement process which should assist in stabilizing trays during satellite feeding. Staff will also be more cognizant of valid detainee concerns as it relates to this scenario. Several detainees expressed general dissatisfaction with the taste of the meals, as well as the desire for milk to be served with every breakfast, rather than only on weekends. In response to the detainee complaints, additional visits to the kitchen were conducted. Special attention was given to menu and recipe adherence, sanitation, traying and presentation of the end result. Meals were followed from traying to delivery. Although isolated concerns were noted during production, there were no systemic issues that could validate the detainee concerns, nor was there any specific measurable detainee complaint that could be followed-up on (taste). There is no INS detention standard that specifies the frequency or requirement as it relates to the serving of milk. All meals observed were as specified by the master cycle, which was approved by a registered dietician. The warden confirmed that concerns as presented would be addressed with Trinity Services Group management, the facility's contracted food service provider, to develop a corrective action plan.

A single detainee stated that his attempts to change his religious preference from "Christian" to "Jewish" had not been responded to by the facility chaplain. The facility provided background that the detainee's request had been addressed and the chaplain had met with the detainee. The chaplain stated he would follow-up with the detainee to ensure the issue was addressed. Review of the facility's offender management system confirms the detainee's religious preference has been amended as requested.

A single detainee stated that as a Rastafarian he was entitled to a kosher meal as part of his religious precepts. The chaplain researched the issue and concluded that while Rastafarians observe a vegetarian diet, kosher is not a tenet of that religion/belief. The chaplain will provide follow-up with the detainee.

During detainee interviews multiple detainees expressed concern that any grievances would result in retribution in the form of increased cubicle searches. This concern was shared with the warden who reiterated facility procedure requiring six searches by each officer per shift. Accordingly, it is conceivable a detainee's cell may be searched every three days based on current population numbers. There was no other evidence to support individual or systemic retribution.

Detainees were asked if they had filed a grievance and/or contacted the Office of Inspector General (OIG). One detainee reported that he submitted his concerns on the OIG hotline on two separate occasions and did not receive a response either time.

Food services are provided by Trinity Services Group. Medical services are provided by CoreCivic employees. The facility does not charge co-pays for medical, mental health, or dental care.

Areas of Concern/Significant Observations

There were no areas of concern or significant observations from this hybrid inspection. One inspector worked remotely. He was unable to personally observe practices and procedures within the facility. He 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 (NDS). No (0) standards were found Does Not Meet Standards and one (1) standard was Not Applicable (N/A). The remaining thirty-eight (38) standards were found to Meet Standards.

LCI Assurance Statement

The findings of compliance and noncompliance are accurately and completely documented on the G-324A inspection form and are supported by documentation in the inspection file. An out brief was conducted via on-site/conference call. In addition to the entire Nakamoto Group, Inc. Inspection Team, the following participated:

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

[REDACTED] Lead Compliance Inspector
Printed Name of LCI

December 17, 2021
Date