



The Nakamoto Group, Inc.

January 6, 2022

TO: [REDACTED]  
Acting Assistant Director Custody Management

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

SUBJECT: **Annual Inspection of the Polk County Adult Detention Facility**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the National Detention Standards (NDS) 2019 of the Polk County Adult Detention Facility in Livingston, Texas during the period of January 4-6, 2022. This is an IGSA.

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

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

**Type of Inspection**

This is a scheduled annual inspection to determine overall compliance with the NDS 2019 for Over 72-hour facilities. The facility received a rating of Meets Standards during the January 2021 inspection.

**Inspection Summary**

Polk County Adult Detention Facility is currently accredited by:

- The American Correctional Association (ACA) - Yes
- The National Commission on Correctional Health Care (NCCCHC) - 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 2021 and 2022 NDS annual inspections:

<i>2021 Annual Inspection</i>	
Meets Standards	33
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	0

<i>2022 Annual Inspection</i>	
Meets Standards	32
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	1

No deficiencies were identified in any component.

## Facility Snapshot/Description

The Polk County Adult Detention Center is located in a rural area of Livingston, Texas approximately sixty miles north of the George Bush Intercontinental Airport in Houston, Texas. The facility, constructed in [REDACTED] is owned by Polk County and operated by Management and Training Corporation (MTC), a private corrections company. The facility has a rated capacity of [REDACTED] beds and houses all custody levels of adult male ICE detainees and United States Marshals Service inmates. ICE/ERO keeps an on-site presence at the facility at least five days a week. On the first day of the inspection, the population count was [REDACTED] of which [REDACTED] were ICE detainees. [REDACTED]

The facility is a single one-story structure surrounded by two, twelve-foot chain link fences that are supplemented on the top and bottom by multiple rows of razor ribbon. The interior fence line is equipped with a movement detection system (shaker fence) that is sectioned into five zones. Surveillance cameras offer visibility around the entire perimeter, and down the interior movement corridors and into the recreation yards. The paved perimeter road is patrolled by an armed officer in a vehicle on a 24-hour basis. All exterior building doors and interior security doors are under constant camera surveillance and controlled by central control staff. The facility is equipped with a 310 surveillance camera network that is monitored 24 hours a day. There are additional buildings/sheds outside the secure perimeter that house some maintenance equipment and provide storage.

The facility is a long rectangular building that is linked by corridors that intersect at the interior crosswalk. All detainee movement is documented by the crosswalk officer. The facility has [REDACTED] individual general population housing units divided into: [REDACTED]-bed cells; [REDACTED]-bed dormitories; [REDACTED]-bed dormitories; and [REDACTED]-bed dormitories. There is one special management unit (SMU) consisting of [REDACTED] [REDACTED]-bed cells; there were no ICE detainees in the SMU during the inspection.

The health care unit has three, one-bed rooms that can vary in capacity pending observation and treatment demands; an additional room is sometimes used for close watch patients. One of the rooms has negative air flow. The health care unit is not an infirmary.



Select housing units and/or portions thereof currently serve as COVID-19 quarantine/isolation units where newly admitted detainees and existing detainees are housed until negative testing results/protocols are complete. During the inspection there were no active COVID-19 cases in the facility.

The primary outdoor recreation area is a large outdoor recreation yard. There are also four additional recreation areas that are substantially covered but allow sunlight and fresh air. All detainees receive at least one hour of outdoor recreation daily. SMU recreation is provided in individual yard enclosures located adjacent to the unit.

The general population housing units each have a dayroom area equipped with a television, telephones, and fixed table/chair units where detainees eat their meals and gather for conversation and entertainment with board games, card and dominos, which are available from the housing unit officer. Each dayroom is accessible daily from 7:00 a.m. to 11:00 p.m. Tablets and kiosks are not available in all housing units. Those without devices are informed of announcements, schedules and bulletins through postings on the housing unit bulletin board. A facility handbook is posted in all housing units. Overall, the facility is clean as observed during multiple facility tours by the SMEs. Comments registered during detainee interviews confirmed the same condition. Detainees are permitted to participate in the Voluntary Work Program. All detainee movement is escorted.

The facility has not offered general visiting privileges since March 2020 due to COVID-19 conditions. Legal visits, however, have continued through the pandemic. There is no video-visit format available at the facility. The OIC has set plans to restore general visiting privileges starting July 2022.

The inspectors conducted 27 detainee interviews; seventeen were formal confidential interviews conducted in a private staff office and ten were conducted in an informal setting. All of the formal confidential interviews and six of the informal interviews were conducted with the use of a phone-in interpreter language line service or a bi-lingual SME. A portable translation device was used for some of the informal interviews; it worked fairly well. The informal interviews were conducted in the housing units, on the recreation yards and on work assignments. The interviewed detainees' length of stay in the facility ranged from three days to four months. All of the detainees stated they felt safe at the facility and had not been threatened or mistreated by staff or other detainees. Recreation time was satisfactory. Medical services were acceptable. Food services were adequate. No concerns were voiced regarding the current visitation format. Access to facility staff and ICE representatives was satisfactory. All detainees interviewed stated they received the local and National Detainee Handbook during intake. Most of the detainees were unaware of OIG services but were instructed as to its purpose and how to contact them. There were no substantive concerns expressed. Overall, the detainees were content with their living conditions, their safety and treatment, cleanliness of the facility, and availability and responsiveness from on-site ICE/ERO staff.

The staff interviewed were aware of the availability of the language line and knew how to use it and were familiar with the portable translations devices and where they were stored. Limited English proficient detainees interviewed stated that translation devices/services had been used



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for communications with them. Forms used for various purposes and information distributed to detainees were found to be available in English and Spanish.

There were no deaths, suicide attempts, escapes, hunger strikes, or immediate uses of force reported during this inspection period.

Detainee telephone services are provided via a contract with NCIC Inmate Communications. All other services are provided by MTC. ICE detainees do not incur medical co-pays

### **Areas of Concern/Significant Observations**

The inspection was conducted as a hybrid inspection with three inspectors on-site and two working remotely. The remote inspectors sometimes relied upon photographs and/or videos to validate the observation of their standards. There were no areas of concern or significant observations noted during this hybrid inspection.

### **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 National Detention Standards (NDS) 2019 for Over 72-hour facilities. No (0) standards were rated as Does Not Meet Standard and one (1) standard was Not Applicable (N/A). All remaining thirty-two (32) standards were found to Meet Standards.

### **LCI Assurance Statement**

The findings 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 at the facility. In addition to the entire Nakamoto Group, Inc. Inspection Team (two SME via conference call) the following were present:

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

[REDACTED]  
Printed Name of LCI

January 6, 2022

Date