



August 22, 2019

TO: [REDACTED]  
Assistant Director for Detention Management

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

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

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS) of the Teller County Jail in Divide, Colorado during the period of August 20-22, 2019. 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 NDS for Over 72 hour facilities. The facility was not inspected in 2018.

### **Inspection Summary**

The Teller County Jail is currently accredited by:

- The American Correctional Association (ACA) - No
- The National Commission on Correctional Health Care (NCCCHC) - No
- The Joint Commission (TJC) - No
- Prison Rape Elimination Act (PREA) - No

### **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 2019 NDS annual inspection:



The Nakamoto Group, Inc.

<b>2018 Annual Inspection – Not Inspected</b>	
Acceptable	N/A
Deficient	N/A
Repeat Finding	N/A
Not Applicable	N/A

<b>2019 Annual Inspection</b>	
Acceptable	34
Deficient	3
Repeat Finding	0
Not Applicable	2

The inspection team identified one hundred twenty-four (124) deficient components in the following thirty-one (31) standards:

- Admission and Release – 4
- Classification System – 3
- Correspondence and Other Mail – 2
- Detainee Handbook – 12
- Food Service – 7
- Funds and Personal Property – 4
- Detainee Grievance Procedures – 1
- Issuance and Exchange of Clothing, Bedding and Towels – 2
- Religious Practices – 1
- Detainee Telephone Access – 1
- Visitation – 3
- Voluntary Work Program – 3
- Hunger Strikes – 1
- Access to Medical Care – 3
- Contraband – 2
- Detention Files – 1
- Disciplinary Policy – 1
- Emergency (Contingency) Plans – 4
- Environmental Health and Safety – 12
- Hold Rooms in Detention Facilities – 1
- Key and Lock Control – 4
- Population Counts – 2
- Post Orders – 4
- Security Inspections – 2
- Special Management Unit (Administrative Segregation) – 12
- Special Management Unit (Disciplinary Segregation) – 6
- Tool Control – 9
- Use of Force – 7
- Staff Detainee Communications – 3
- Detainee Transfer Standard – 2
- Sexual Abuse and Assault Prevention and Intervention – 5



## Facility Snapshot/Description

The Teller County Jail is located in Divide, Colorado approximately thirty miles west of Colorado Springs, Colorado at the northern base of Pikes Peak. The facility is owned by Teller County and operated under the jurisdiction of the Teller County Sheriff's Department. [REDACTED]

[REDACTED] It currently houses adult male and female ICE, U.S. Marshals Service, and Teller County detainees. The facility houses all classification levels. [REDACTED]

The facility, constructed in 1995, is a single structure enclosed by a single twelve-foot perimeter chain link fence equipped with barbed wire rows on the top. There is no perimeter road encircling the compound but the fenced perimeter is patrolled by an unarmed officer each shift. The exterior doors of the building are alarmed and controlled by central control officers. The perimeter is only partially covered by monitored camera surveillance. The facility surveillance network consists of 38 cameras that also monitor all housing units, common areas, and movement corridors but there are multiple blind spots inside the facility. All movement in the facility is escorted.

All ICE detainees are housed in four housing units which are configured into two-bed cells and range in size from ten rooms to sixteen rooms. The facility does not have a special management unit. Detainees worthy of disciplinary or administrative segregation status are sheltered in place until their release from the status. No ICE detainees were housed in disciplinary or administrative segregation status during the inspection.

Each of the housing units has a dayroom area equipped with one television, two HomeWav video-visit stations, two telephones, one informational kiosk which is also capable of video-visitation, and table/chair units where detainees eat their meals, gather in conversation, or participate in table games. All detainees have daily access to outdoor recreation for at least one hour each day. Detainees are under constant monitored camera surveillance in their housing units.

Numerous detainees were interviewed during the inspection in open and confidential settings. Interviews with LEP detainees were assisted by the use of an interpreter and the language line. The detainees voiced no concerns regarding life/safety issues. Detainees were generally satisfied with the interaction and responsiveness from facility staff and the deportation officers' attention to their requests. There were no substantive concerns registered regarding medical services, the law library, telephones, or recreation. Some detainees voiced complaints about the quantity of the food served. They were generally satisfied with the taste but they wanted more of it. The safety SME confirmed that the menu and food portions meet the nutritional requirements as approved by a registered dietitian. Conversations with several detainees while eating their noon meals revealed no substantive concerns.

Sanitation throughout the common areas of the facility was adequate. The housing unit bathrooms, shower, and wash basins are maintaining an average level of cleanliness.

Health services are provided by Southern Health Partners, Inc.; food services and the housing unit kiosks are provided by Summit Food Service; detainee telephones and the video-visitation stations are provided by HomeWav; and maintenance services are provided by Teller County employees. The facility does not charge ICE detainees co-pays for medical, mental health, or dental care.

## Areas of Concern/Significant Observations

Three standards were identified as Deficient.

### Detainee Handbook

*Policy:* Every OIC will develop a site-specific detainee handbook to serve as an overview of, and guide to, the detention policies, rules, and procedures in effect at the facility. The handbook will also describe the services, programs, and opportunities available through various sources including the facility, private organizations, etc. Every detainee will receive a copy of this handbook upon admission to the facility. Detainees are expected to behave in accordance with the rules set down in the handbook and will be held accountable for violations. Therefore, the facility staff will advise every detainee to become familiar with the material in the handbook.

*Finding:* The facility has an electronic copy of the handbook posted on each housing unit kiosk; however, the text is missing twelve of the 28 component requirements. Detainees do not receive a copy of the handbook; rather booking officers discuss the content with the detainees during in-processing and have them sign a receipt attesting to such. Detainees are not informed the handbook is available for further review on their housing unit kiosk. Detainees do not receive a copy of the National Detainee Handbook as confirmed by sixteen detainee interviews which resulted in unanimous denial of its receipt.

*Recommendation:* Revise the handbook content to include all of the standard's requirements. During in-processing provide each detainee with a copy of the handbook for their review while waiting in the hold room and have them sign a receipt on its return to the booking officer which states the handbook is available for their further review on their housing unit kiosk. Provide the detainees a copy of the National Detainee Handbook if one has not been provided prior to their arrival at the facility.

### Special Management Unit (Administrative Segregation)

*Policy:* Each facility will establish a Special Management Unit that will isolate certain detainees from the general population. The Special Management Unit will have two sections; one for detainees in Administrative Segregation; the other for detainees being segregated for disciplinary reasons (see the "Special Management Unit [Disciplinary Segregation]" Standard).

*Finding:* There is no policy, written criteria, or written procedures addressing the placement of a detainee on administrative segregation status. There is no special management unit in the facility. There is no system for conducting regular reviews for continuing a detainee's administrative segregation status or providing detainees with copies of the results of such reviews. There is no written procedure requiring ICE/ERO to be informed of a detainee's placement on administrative segregation status. There is no documentation system established for recording detainee activities. There is no requirement to complete a Housing Record.

*Recommendation:* Establish policy, criteria, and written procedures addressing how a detainee is to be placed on administrative segregations status. Set the required review schedule for assessing the need for continued placement on the status and provide the detainee with a copy of the review decision. Require, by policy, that ICE/ERO is to be immediately informed of a detainee's placement on administrative



segregation status and document the advisement. Establish and require completion of the Housing Record to ensure detainee activities and participation in all daily events is documented.

**Tool Control**

*Policy:* Every facility will establish a tool control policy with which all employees shall comply. The maintenance supervisor shall maintain a computer-generated or typewritten inventory of tools and equipment, and storage locations. These inventories shall be current, filed, and readily available during an audit.

*Finding:* There is an overall lack of accountability for tool inventories and tool control. Tool inventories are not completed daily. There is no established tool classification system. Many tools are not etched/marked. There are no written procedures for the issuance of tools. There are no procedures for the disposal of broken or worn tools. Tools brought into the facility are not inventoried prior to their entry or departure. Department supervisors are not held responsible for implementing tool control procedures.

*Recommendation:* Establish tool accountability by requiring and documenting daily inventories of all tools. Establish a tool classification system. Ensure all tools bear an identification marking and they are stored in a manner, if possible, that visibly indicates their absence from the storage area. Establish written procedures for the issuance and disposal of all tools. Require that all tools brought into the facility are inventoried before entry and departure from the facility. Hold department supervisors responsible for tool control procedures by providing documented training of the expectation.

**Recommended Rating and Justification**

The Lead Compliance Inspector recommends that the facility receive a rating of Deficient. The facility complies with the ICE National Detention Standards (NDS). Three (3) standards were found Deficient and two (2) standards were Not Applicable (N/A). All remaining thirty-four (34) standards were found to be in compliance.

**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 at the facility and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following were present:

- ICE Officials – [REDACTED] representing the Denver Field Office
- Facility Staff – [REDACTED]

[REDACTED]



The Nakamoto Group, Inc.

██████████, Lead Compliance Inspector

August 22, 2019

Printed Name of LCI

Date