February 22, 2008

MEMORANDUM FOR: Gary E. Mead, Acting Director
Office of Detention and Removal

FROM: Reviewer-In-
Creative Corrections

SUBJECT: Port Isabel Service Processing Center Annual Detention Review

Creative Corrections conducted the Annual Detention Review (ADR) of the Port Isabel Service Processing Center (PISPC) located in Port Isabel, Texas, on February 19-21, 2008. As noted on the attached documents, my team of Subject Matter Experts included: Security, Health Services, Safety and Environmental Health, Food Services, and Administration.

A closeout meeting was held on February 21, 2008, during which all deficiencies, concerns, and recommendations were discussed with Assistant Field Office Director, Acting Officer in Charge, Field Office Administrator, and key PISPC staff.

Life Safety Finding

ICE National Detention Standards requires, “Entrance/exit door locks of housing units, work areas, chapel, gyms, and other areas with room capacity of 50 or more people shall meet the standards specified in the Occupational Safety and Environmental Health Manual (Chapter 3) and in the National Fire Protection Association Life Safety Code (#101). Specifically, the doors shall be equipped with prison-type locking devices modified to function when pressure is applied from inside the room”. Locks in Units Charlie and Delta are not pressure sensitive.

On Tuesday February 20, 2008, the Reviewer in Charge personally informed Acting Officer in Charge and Assistant Field Office Director of this finding.

Type of Review:

This review is a scheduled Detention Standard Review to determine compliance with ICE National Detention Standards for facilities used over 72 hours.
Review Summary:

The Port Isabel Service Processing Center is accredited by American Correctional Association (ACA), National Commission on Correctional Health Care (NCCHC), and the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

Standards Compliance:

The following statistical information provides a direct comparison of the February 2007, ADR and the ADR conducted in February 2008.

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<tbody>
<tr>
<td>Compliant</td>
<td>36</td>
<td>37</td>
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<tr>
<td>Deficient</td>
<td>2</td>
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<tr>
<td>At Risk</td>
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<tr>
<td>Non-Applicable</td>
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Key and Lock Control – At Risk

It is the policy of the ICE service to maintain an efficient system for the use, accountability and maintenance of all keys and locks.

- Only authorized locks (as specified in the detention standard) may be used in detainee accessible areas. Locks in use in housing units Charlie and Bravo are not pressure sensitive locking systems.

Recommendation

- A total of 28 unauthorized locks in Units Charlie and Bravo must be replaced with authorized locks in accordance with standards specified in the Occupational Safety and Environmental Health Manual (Chapter 3) and in the National Fire Protection Association Life Safety Code Section (101), 21.2.11.2. Specifically, the doors shall be equipped with prison-type locking devices modified to function when pressure is applied from inside the room”.

RIC Issues and Concerns

Population Demographics

Approximately 80% of the detainee population confined at the PISPC has confirmed criminal backgrounds. Management and line staff voiced their continued concern regarding this issue, citing the complexities of managing a sophisticated criminal population safely as opposed to a non-criminal population.
Continued vigilance and oversight by all concerned must continue in order to properly confine and control the sophisticated criminal elements of the detainee population.

**Processing Unit Vehicle Security**

There currently is an approved project to enclose the vehicle loading/unloading area adjacent to the processing unit with security fencing to prevent unauthorized access to transport vehicles by detainees. This project should begin as soon as possible.

**Digital Fingerprinting**

All detainees processed in and out of the PISPC are manually fingerprinted. The current digital fingerprinting system available at other SPCs is not available here. It is recommended this system be installed at the PISPC as soon as practical.

**Food Temperatures, Equipment, and Food Transport**

Kitchen and meal production is provided through a Performance Based Contract with Ahtna Technical Services, INC. The provider initiated service on December 9, 2007. Both parties continue to develop mutually agreeable food preparation and delivery procedures consistent with management’s requirements. Management may need to allocate emergency funds to provide adequate food preparation and sanitation equipment.

There are no warming ovens and coolers available to support the satellite feeding program. The absence of this equipment may adversely affect approved food delivery temperatures, which could create conditions conducive to food borne illness. Dishwashing equipment in the kitchen is not adequate to support the current satellite feeding program and should be addressed immediately.

Food delivery to the living units is accomplished by transporting food trays in a large truck. The daily use and predictability of a truck inside the secure perimeter poses a security concern. Alternatives to using a truck to deliver food trays to the living units should be explored.

**Food Service Fire Suppression System**

The National Fire Protection Association requires the UL-300 wet extinguishing fire suppression system and a Class K portable fire extinguisher. The current dry suppression system is no longer authorized for use once it has been discharged.
**Medication Administration**

During pill line, televisions should be turned off or the volume turned down to facilitate communication between detainees and medical staff. Pill line should be announced and those detainees receiving medication should line up in front of the officers station with their ID cards and wristbands to receive the medication. Medical staff administering the medication should require all detainees to open his/her mouth and raise their tongue to ensure that the medication was swallowed.

**Medical Diets**

Medical diets are currently ordered and approved by nursing staff in accordance with DIHS policy. ICE National Detention Standards requires approval of all medical diets by the clinical director. There are currently 257 detainees approved for medical diets as directed by nursing staff. It is recommended the clinical director review all medical diets.

**Detainee Patient Privacy**

The current six-person cubicle area located in the health services unit does not provide adequate privacy for patient information exchanges if more than one patient is being interviewed simultaneously. Patient interviews conducted within the health services unit should be conducted in an area that affords adequate patient privacy.

**Key Control**

| b2High, b7o |

**Population Counts**

The count process is man-hour intensive because the current automated detainee data system does not allow for automatic count adjustments throughout the day. The daily events such as; temporary releases to court, medical trips, and writs, are not automatically factored into the facility master count. The system also does not provide an automated out-count program. It is recommended this system be evaluated to include all count related functions.
Security Lighting

Maintenance staff must be more vigilant with timely repairs of security lights. Numerous interior and exterior security lights are not working and in need of bulb replacement. Additionally, a complete light survey of the facility should be conducted to evaluate security lighting needs.

Corrosive Chemical Use

It is recommended an effort be made to find and substitute less hazardous cleaning chemicals to replace the current dangerous chemicals used for general sanitation throughout the facility. Current chemicals such as Easy Pack corrosive cleaning compounds may be a security concern if not controlled by staff.

Living Unit Trash Receptacles

Trash receptacles currently in use in all housing units do not have a fire rating. These trash receptacles must be replaced with approved fire rated units to prevent the emissions of toxic fumes in the event of a fire.

Recommended Rating and Justification

It is the Reviewer-in-Charge (RIC) recommendation that the facility receive a rating of “At Risk” resultant to the deficient locking system. It is also recommended by the RIC that a Plan of Action be required for this facility to identify and implement necessary corrective actions.

RIC Assurance Statement

All findings of this review have been documented on the Detention Review Worksheet attached and are supported by the written documentation contained in the review file.
The signature below constitutes review of this report and acceptance by the Review Authority. OIC/CEO will have 30 days from receipt of this report to respond to all findings and recommendations.

HQDRO EXECUTIVE REVIEW: (Please Print Name)  
Gary E. Mead  
Title  
Acting Director

Final Rating:  
☐ Superior  
☐ Good  
☐ Acceptable  
☒ Deficient  
☐ At-Risk  
☐ No Rating  

Comments: The Review Authority has upgraded the rating from “At-Risk” to a “Deficient” rating. The rating was upgraded based on thirty-seven standards being rated acceptable and only one deficient standard rated at-risk. A Plan of Action is required to correct the deficiency identified in the At-Risk finding for the Key and Lock Control Standard; in addition, Plan of Actions are required to address line item deficiencies in Food Temperatures-Equipment, Food Service-Fire Suppression System, Medication Administration, Detainee Patient Privacy, Key Control, Perimeter Detection, and Security Lighting.
A. Type of Facility Reviewed

- [x] ICE Service Processing Center
- [ ] ICE Contract Detention Facility
- [ ] ICE Intergovernmental Service Agreement

B. Current Inspection

Type of Inspection
- [x] Field Office
- [ ] HQ Inspection

Date(s) of Facility Review
02/19 – 02/21/2008

C. Previous/Most Recent Facility Review

Date(s) of Last Facility Review
2/13 – 2/15/2007

Previous Rating
- [ ] Superior
- [x] Good
- [ ] Acceptable
- [ ] Deficient
- [ ] At-Risk

D. Name and Location of Facility

Name
Port Isabel Detention Center

Address (Street and Name)
27991 Buena Vista Blvd

City, State and Zip Code
Los Fresnos, Texas 78566

County
Cameron

Name and Title of Chief Executive Officer
(Warden/DIC/Superintendent)
[Blank]

Field Office / Sub-Office
- [x] (Acting) Officer in Charge

Telephone # (Include Area Code)
956- [Blank]

Field Office / Sub-Office
- [x] Field Office
- [ ] Sub-Office

(E) Creative Corrections Review Team

- [x] Reviewer in Charge
- [x] SME, Security
- [x] SME, Health Services
- [x] SME, Administration
- [x] SME, Food Service
- [x] SME, Safety and Environmental Health

F. CDF/IGSA Information Only

Contract Number
N/A

Date of Contract or IGSA
N/A

Basic Rates per Man-Day
N/A

Other Charges: (If None, Indicate N/A)
N/A

Estimated Man-days per Year
N/A

G. Accreditation Certificates

List all State or National Accreditation[s] received:
ACA / NCCHC - JCAHO

- [x] Check box if facility has no accreditation[s]

H. Problems / Complaints (Copies must be attached)

- [x] The Facility is under Court Order or Class Action Finding

- [ ] Court Order
- [x] Class Action Order

- [ ] The Facility has Significant Litigation Pending

- [ ] Major Litigation
- [x] Life/Safety Issues

- [x] Check if None.

I. Facility History

Date Built
Facility – 1950 / New Building 02/05/2007

Date Last Remodeled or Upgraded
2007

Date New Construction / Bed space Added
2001

Future Construction Planned
- [x] Yes
- [ ] No

Date: Pending

Current Bed Space
1200

Future Bed Space (# New Beds only)

Number: Unknown

Date:

J. Total Facility Population

Total Facility Intake for previous 12 months
9,726

Total ICE Man days for Previous 12 months
366,226

K. Classification Level (ICE SPCs and CDFs Only)

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<tr>
<th>Level</th>
<th>L-1</th>
<th>L-2</th>
<th>L-3</th>
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<td>333</td>
<td>477</td>
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<tr>
<td>Adult Female</td>
<td>41</td>
<td>44</td>
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</table>

L. Facility Capacity

Rated
Adult Male
900

Operational
Adult Male
900

Emergency
Adult Male
900

FO Facility holds Juveniles Offenders 16 and older as Adults

[ ] Facility holds Juveniles Offenders 16 and older as Adults

M. Average Daily Population

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<th>Population</th>
<th>ICE</th>
<th>USMS</th>
<th>Other</th>
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<tbody>
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<td>Adult Female</td>
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N. Facility Staffing Level

Security:
- [x] b2High

Support:

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In order for Creative Corrections to complete its review of your facility, you must complete the following worksheet prior to your scheduled review dates. This worksheet must contain data for the past twelve months. We will use this worksheet in conjunction with the ICE Detention Standards to assess your detention operations with regard to the needs of ICE and its detainee population. Failure to complete this worksheet will result in a delay in processing this report, and may result in a reduction or removal of ICE detainees from your facility.

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<td>Assaults</td>
<td>Types (Sexual¹, Physical, etc.)</td>
<td>11 P</td>
<td>6 P</td>
<td>6 P</td>
<td>18 P</td>
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<tr>
<td></td>
<td>Without Weapon</td>
<td>11</td>
<td>6</td>
<td>6</td>
<td>18</td>
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<td>Assault:</td>
<td>Types (Sexual Physical, etc.)</td>
<td>5 P</td>
<td>1 P</td>
<td>1 P</td>
<td>4 P</td>
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<td>1</td>
<td>4</td>
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<td>Number of Forced Moves, incl.</td>
<td>Number/Reason (M=Medical, V=Violent Behavior, O=Other)</td>
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<td>Forced Cell Moves²</td>
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<td>Number of Times Chemical</td>
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<td>Agents Used</td>
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<td>Number of Times Special</td>
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<td># Resolved in Favor of</td>
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<td>Deaths</td>
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<td>161</td>
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<td>Reason (V=Violent, I=Illness,</td>
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<td>S=Suicide, A=Attempted Suicide, O=Other)</td>
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¹ Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting
² Routine transportation of detainees/offenders is not considered "forced"
³ Any incident that involves four or more detainees/offenders, includes gang fights, organized multiple hunger strikes, work stoppages, hostage situations, major fires, or other large scale incidents
<table>
<thead>
<tr>
<th>LEGAL ACCESS STANDARDS</th>
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<th>HEALTH SERVICES</th>
<th>SECURITY AND CONTROL</th>
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<td>9. Food Service</td>
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<td>11. Detainee Grievance Procedures</td>
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<td>12. Issuance and Exchange of Clothing, Bedding, and Towels</td>
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<td>13. Marriage Requests</td>
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All findings of Deficient and At-Risk require written comment describing the finding and what is necessary to reach compliance.
RIC REVIEW ASSURANCE STATEMENT

By signing below, the Reviewer-In-Charge (RIC) certifies that:

All findings of non-compliance with policy or inadequate controls, and findings of noteworthy accomplishments, contained in this Inspection Report, are supported by evidence that is sufficient and reliable; and Within the scope of this review, the facility is operating in accordance with applicable law and policy, and property and resources are being efficiently utilized and adequately safeguarded, except for any deficiencies noted in the report.

REVIEWER-IN-CHARGE

Reviewer-In-Charge: (Print Name)  
Title & Duty Location
Reviewer in Charge, Creative Corrections  
February 22, 2008

TEAM MEMBERS

<table>
<thead>
<tr>
<th>Print Name, Title, &amp; Duty Location</th>
<th>Print Name, Title, &amp; Duty Location</th>
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<tr>
<td>Administration SME</td>
<td>Environmental Health and Safety SME</td>
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<tr>
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<td>Health Services SME</td>
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<td>Food Services SME</td>
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RECOMMENDED RATING:  
☐ SUPERIOR  
☐ GOOD  
☐ ACCEPTABLE  
☐ DEFICIENT  
☒ AT-RISK

COMMENTS:  On February 12, 2007 Detainee attempted to escape the facility by running toward the perimeter security fence giving staff the impression he was going to attempt to scale the fence. He did not scale the fence and did not escape, however the AUSA declined prosecution.

Port Isabel Service Processing Center is a well managed facility with a very competent and professional staff. The recommended rating is resultant to the Life Safety Finding regarding the locking system. Absent this issue, the rating would have more accurately reflected an efficient and effectively managed facility.