



**U.S. Department of Homeland Security**

Immigration and Customs Enforcement

Office of Professional Responsibility

Inspections and Detention Oversight

Washington, DC 20536-5501

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**Office of Detention Oversight  
Compliance Inspection**

**Enforcement and Removal Operations  
Houston Field Office  
Joe Corley Detention Facility  
Conroe, Texas**

**April 9 - 11, 2013**

**COMPLIANCE INSPECTION  
JOE CORLEY DETENTION FACILITY  
HOUSTON FIELD OFFICE**

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## EXECUTIVE SUMMARY

The Office of Professional Responsibility (OPR), Office of Detention Oversight (ODO) conducted a Compliance Inspection (CI) of the Joe Corley Detention Facility (JCDF) in Conroe, Texas, from April 9 to 11, 2013. JCDF, which opened in 2008, is owned by Montgomery County and operated by the GEO Group, Incorporated (GEO). The U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removal Operations (ERO) began housing detainees at JCDF in August 2008, under an Intergovernmental Service Agreement between ICE and GEO. JCDF houses male detainees of all security classification levels (Level I - lowest threat; Level II - medium threat; Level III - highest threat) for periods in excess of 72 hours. There are no female detainees held at JCDF. JCDF allocates a total of 900 beds for ICE detainees. At the time of this CI, the facility housed 874 ICE detainees. The average daily detainee population at JCDF is 767, and the average length of stay for an ICE detainee is 39 days. GEO provides food service and medical care. JCDF holds accreditation from the American Correctional Association.

The ERO Field Office Director (FOD) in Houston, Texas (ERO Houston) is responsible for ensuring facility compliance with ICE policies and the Performance-Based National Detention Standards (PBNDS). An Assistant Field Office Director is permanently stationed at JCDF and is the highest ranking ERO official at the facility. In addition to the Assistant Field Office Director, ERO staff at JCDF is comprised of (b)(7)e Supervisory Detention and Deportation Officers, (b)(7)e Deportation Officers, (b)(7)e Immigration Enforcement Agents, and (b)(7)e Enforcement and Removal Assistants. An ERO Detention Service Manager is permanently assigned to monitor compliance with the PBNDS.

The Warden is the highest-ranking official at JCDF and is responsible for oversight of daily operations. In addition to the Warden, JCDF supervisory staff consists of an Assistant Warden, a Chief of Security, (b)(7)e Major, (b)(7)e Captains, (b)(7)e Lieutenants, (b)(7)e business officers, (b)(7)e chief of security, (b)(7)e lead classification case manager, (b)(7)e intake/release supervisor, and (b)(7)e food service manager. The total number of non-supervisory staff employed at JCDF is (b)(7)e

In November 2009, ODO conducted an inspection at JCDF. Of the 22 National Detention Standards reviewed, ten were in full compliance. ODO cited 30 deficiencies in the remaining 12 standards. JCDF contractually converted to the PBNDS on March 10, 2010.

During this CI, ODO reviewed 16 PBNDS and found JCDF in compliance with 14 standards. ODO found two deficiencies in the following standards: Admission and Release (1 deficiency), and Classification System (1).

This report details all deficiencies and refers to the specific, relevant sections of the PBNDS. ERO will be provided a copy of this report to assist in developing corrective actions to resolve all identified deficiencies. These deficiencies were discussed with ICE and JCDF personnel on-site during the inspection, as well as during the closeout briefing conducted on April 11, 2013.

Overall, ODO found JCDF to be orderly and well-managed, with a high level of sanitation inside and outside the facility. The high level of compliance with the PBNDS may be attributed to effective communication between ICE management and facility staff. JCDF personnel work

closely with the ICE contracting officer's technical representative to align facility policies with the PBNDS. ICE personnel interact with facility staff and detainees on a daily basis to proactively identify and resolve compliance issues.

Upon admission, detainees attend a facility orientation, and JCDF management provides detainees a facility handbook and the ICE National Detainee Handbook, which are both available in English and Spanish. Detainee property and valuables are inventoried, logged, sealed in property bags, and placed in a secure storage area. Detainees are provided with appropriate clothing and free hygiene supplies.

ERO classifies detainees prior to admission to JCDF. Facility staff review and affirm the classification of arriving detainees using the JCDF classification system. A review of 18 detention files confirmed each contained an ERO classification form, a criminal record, an Order to Detain/Release Alien, and documentation of a supervisory review. Procedures are in place for reclassifying detainees housed at JCDF for more than 60 days, when new information affecting classification levels is received, or following disciplinary action. The JCDF detainee handbook addresses the classification system and procedures for appealing classification decisions.

The JCDF detainee handbook is available in all detainee housing units and in the JCDF library. ODO reviewed 30 detention files and confirmed all detainees signed an acknowledgement confirming receipt of a facility handbook and the ICE National Detainee Handbook. ODO confirmed all required content is covered in the JCDF handbook.

Disciplinary policy at JCDF addresses all requirements of the PBNDS. JCDF management has formulated a graduated severity scale for prohibited acts and disciplinary sanctions, and encourages informal resolution for minor infractions. Low and moderate level incidents are reviewed and adjudicated by the Unit Disciplinary Committee; higher level incidents are referred to the Institution Disciplinary Panel for adjudication.

GEO manages the food service operation at JCDF. Food service staff consists of a food service manager, a food service production manager, an administrative clerk, and (b)(7) cook specialists. Food service staff is supported by a crew of (b)(7) ICE detainee workers. ODO reviewed files for (b)(7) food service staff and (b)(7) detainee workers and verified all received pre-employment medical clearances. The master cycle and special diet menus are reviewed annually by the food service supervisor and certified by a registered dietician based on a complete nutritional analysis. The master menu is a 42-day cycle that includes a minimum of two hot meals per day. Religious diets are approved by the Major, in consultation with a volunteer chaplain, and medical diets are provided when ordered by the medical unit. All areas of the food service operation are clean and well organized.

The property storage area at JCDF is monitored 24 hours a day via closed circuit video cameras. JCDF conducts weekly audits of detainee property, which exceed the PBNDS requirement for quarterly audits. These audits are documented on a facility-generated property form.

Informal and formal grievance procedures are covered in the facility handbook. The JCDF grievance policy is comprehensive and addresses all requirements of the PBNDS, including

appeal procedures. Detainees may contact ICE directly if they are dissatisfied with a grievance decision or an appeal response at the facility level.

The Executive Secretary is the designated grievance coordinator and maintains a grievance log to document and track formal and informal grievances submitted by ICE detainees. The grievance log for the 12 months preceding this CI reflected no formal detainee grievances. A total of 32 informal grievances were documented on the log, and ODO verified all responses to grievances were timely. The categories of the informal grievances were as follows: 12 regarding medical appointments (five from the same detainee), five related to photocopies and free mailing privileges, three regarding property, and two related to laundry services. The remaining grievances were miscellaneous and unrelated. There were no grievances alleging staff misconduct. The grievance log documented informal resolutions of all 32 grievances. ODO identified no trends or patterns.

JCDF has a dedicated law library with five computers, one typewriter, a copy machine/printer, and adequate furnishings. All computers are equipped with the most recent version of LexisNexis software. Library hours are posted in the library and in each detainee housing unit. This information is also provided in the facility handbook. Detainees have document copying privileges and sufficient opportunities to prepare legal documentation. A JCDF staff member oversees the library and assists detainees as needed. Detainees can make private, unmonitored telephone calls for legal purposes.

The medical clinic, which is operated by GEO, has 24-hour nursing coverage. The Clinical Medical Authority is a physician who has provided services at JCDF for one year and has prior experience with the Texas Department of Corrections. The Clinical Medical Authority examines between 15 and 30 patients each day. Additional staff includes a dentist, a dental assistant, (b)(7)e registered nurses, (b)(7)e licensed vocational nurses, (b)(7)e pharmacy technician (b)(7)e certified medication assistants, and (b)(7)e medical records technicians. The Clinical Medical Authority stated lack of a mid-level provider is an issue. The current staffing plan does not include a position for a nurse practitioner or a physician assistant. At the time of the review, there were vacancies for a director of nursing, a registered nurse, a licensed vocational nurse, and a licensed psychology counselor. ODO confirmed training files contain all required documentation, and all credentials are primary source verified. Physical examinations are conducted by an appropriately-trained registered nurse. In all 30 records reviewed by ODO, a hands-on physical examination and a dental screening were completed within the 14-day timeframe prescribed by the PBNDS.

Detainees are screened for tuberculosis at intake via a chest x-ray. Documentation of necessary screening was confirmed during the medical record review. ODO found the infection control program at JCDF addresses all PBNDS-mandated subject matters.

Nurses collect and date-stamp sick call requests during visits to the housing units, which occur twice daily. The triage nurse determines if a medical need is emergent, routine, or requires only a written response. ODO confirmed sick call requests are triaged in a timely manner, and non-emergency physician appointments are scheduled appropriately.

All detainees, including those housed in the special management unit, are allowed one hour of outdoor recreation each day, seven days a week. A full-time recreation officer is responsible for the development and oversight of the recreation program at JCDF. The facility has three recreation areas with access to fresh air and sunlight. Handballs, soccer balls, basketballs, and basketball hoops are available for detainee use. Housing unit dayrooms provide detainees with opportunities for television viewing and playing board games.

The facility has a designated Sexual Abuse and Assault Prevention and Intervention (SAAPI) Coordinator and a Sexual Abuse Response Team (SART). The members of the SART include the SAAPI Coordinator, the Major, the Health Services Administrator, the mental health professional, and the Facility Administrator or designee. ODO confirmed JCDF policies are comprehensive and address the requirements of the PBNDS. Staff and detainees are instructed regarding reporting procedures for sexual abuse and assault. These procedures address notification through the JCDF chain of command, which includes the shift supervisor, the Major, and the Facility Administrator. Notification of ICE and local law enforcement is also required, and medical examinations are mandatory. ODO confirmed there have been no reported incidents of sexual abuse or assault to date at JCDF.

ODO reviewed (b)(7)(e) randomly-selected staff training records and verified completion of SAAPI pre-service training and annual refresher training. ODO verified the SAAPI training program addresses all required elements, including mandated procedures for handling any reports or observations concerning possible sexual assault.

Through observation of admission and orientation processing, ODO confirmed JCDF management provides a presentation to all detainees regarding SAAPI, including a familiarization with the zero tolerance policy, definitions of sexual abuse and assault, prevention and intervention, self-protection, reporting, treatment, and counseling. Detainees are also informed of the SAAPI program via the detainee handbook, brochures, and postings in housing units, hallways, the medical department, and the intake screening area. All presentations and written notifications are provided in English and Spanish, and are translated for other significant non-English speaking segments of the detainee population.

JCDF segregation policies address all requirements of the PBNDS. ODO confirmed the special management unit is well lit, temperature-appropriate, and sanitary. ODO verified medical, custody, and administrative personnel visit the special management unit as required by the PBNDS. There were no ICE detainees housed in the special management unit during the inspection.

The JCDF staff-detainee communication policy allows detainees to have informal and unrestricted access and interaction with ERO and facility staff. ERO visitation schedules are conspicuously posted in all detainee housing units. ODO reviewed the Facility Liaison Visit Checklists from January 2012 to April 2013, and confirmed ERO officers conduct scheduled and unscheduled visits multiple times each week to interact with detainees, address questions or concerns, and monitor the living conditions in the housing units. Detainee request forms, printed in English and Spanish, are readily available in each housing unit. From January 2012 to the date of this CI, the facility received and processed more than 4,308 formal and informal requests from detainees. ODO reviewed 30 randomly-selected formal requests submitted by detainees

during this time period, and confirmed all 30 requests were documented and recorded in the electronic request log, detainees were provided a timely response, and a copy of each request was placed in the individual detention file.

JCDF has three designated suicide watch cells. The cells are monitored via closed circuit cameras, and are clean and absent of items that can facilitate a suicide. ODO confirmed facility policy addresses all requirements of the PBNDS. JCDF reported there have been no suicide attempts; however, five suicide watches occurred during the 12 months preceding this CI. ODO reviewed the medical file of one detainee who was placed on suicide watch and confirmed suicide watch management was consistent with the PBNDS and facility policy. Examination of training records for (b)(7) randomly-selected custody staff and all medical personnel confirmed completion of suicide prevention and intervention training as part of orientation and during annual refresher training.

Detainees have reasonable and equitable access to telephones at JCDF. The facility provides a total of 240 telephones for detainee use. The ratio of one telephone for every 3.5 detainees far exceeds the PBNDS requirement of one telephone for every 25 detainees. Notification that calls are subject to monitoring and procedures for obtaining unmonitored legal calls are provided in the detainee handbook and posted near telephones in the housing units. Detainees are allowed to place free calls to consulates, the DHS Office of Inspector General Hotline, and pro bono legal service providers. An on-site review of ICE logbooks and telephone serviceability reports confirmed all telephones are inspected for functionality daily by facility staff and weekly by ICE staff.

JCDF has a comprehensive use of force policy addressing all requirements of the PBNDS. ODO reviewed (b)(7) randomly-selected staff training records and verified training in confrontation avoidance, use of force, cell extraction, application of restraints, use of video recording equipment, and oleoresin capsicum (OC) spray. ODO confirmed there were no calculated and four immediate use of force incidents involving ICE detainees during the 12 months preceding this CI. ODO reviewed the written documentation and video recordings of the four immediate use of force incidents and verified compliance with facility policy and the PBNDS.

# INSPECTION PROCESS

ODO inspections evaluate the welfare, safety, and living conditions of detainees. ODO primarily focuses on areas of noncompliance with the ICE National Detention Standards or the ICE PBNDS, as applicable. The PBNDS apply to JCDF. In addition, ODO may focus its inspection based on detention management information provided by the ERO Headquarters and ERO field offices, and to issues of high priority or interest to ICE executive management.

ODO reviewed the processes employed at JCDF to determine compliance with current policies and detention standards. Prior to the inspection, ODO collected and analyzed relevant allegations and detainee information from multiple ICE databases, including the Joint Integrity Case Management System, the ENFORCE Alien Booking Module, and the ENFORCE Alien Removal Module. ODO also gathered facility facts and inspection-related information from ERO Headquarters staff to prepare for the site visit at JCDF.

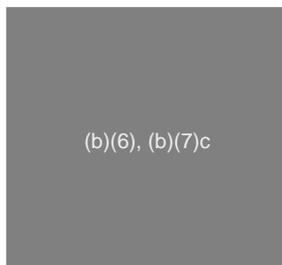
## REPORT ORGANIZATION

This report documents inspection results, serves as an official record, and is intended to provide ICE and detention facility management with a comprehensive evaluation of compliance with policies and detention standards. It summarizes those PBNDS that ODO found deficient in at least one aspect of the standard. ODO reports convey information to best enable prompt corrective actions and to assist in the on-going process of incorporating best practices in nationwide detention facility operations.

OPR defines a deficiency as a violation of written policy that can be specifically linked to the PBNDS, ICE policy, or operational procedure. When possible, the report includes contextual and quantitative information relevant to the cited standard. Deficiencies are highlighted in bold throughout the report and are encoded sequentially according to a detention standard designator.

Comments and questions regarding the report findings should be forwarded to the Deputy Division Director, OPR ODO.

## INSPECTION TEAM MEMBERS



Special Agent (Team Leader)	ODO, Houston
Special Agent	ODO, Houston
Special Agent	ODO, Houston
Contract Inspector	Creative Corrections
Contract Inspector	Creative Corrections
Contract Inspector	Creative Corrections

# **OPERATIONAL ENVIRONMENT**

## **INTERNAL RELATIONS**

ODO interviewed the Warden, the Assistant Warden, an Assistant Field Office Director, and a Supervisory Detention and Deportation Officer. During interviews, all personnel stated the working relationship between JCDF and ICE personnel is excellent. JCDF and ERO management stated morale is high, and working conditions are adequate to accomplish all required duties.

The Warden and Assistant Warden stated staffing is adequate at JCDF to manage and handle the current detainee population at the facility. The Warden and Assistant Warden stated ERO officers visit the housing units multiple times each week to communicate with ICE detainees and address issues or concerns.

## **DETAINEE RELATIONS**

ODO interviewed 30 randomly-selected detainees to assess the overall living and detention conditions at the facility. ODO received no complaints concerning access to legal materials, issuance and replenishment of hygiene supplies, sending and receiving mail, recreation, visitation, receipt of the detainee handbook, the grievance process, or access to medical care. All detainees interviewed were satisfied with the telephone service, but felt the cost per minute was expensive. All detainees stated they are able to contact consular officials, attorneys, and the DHS Office of Inspector General.

Detainees expressed satisfaction with the level of interaction with ICE staff during weekly scheduled and unscheduled visits.

## **ICE PERFORMANCE-BASED NATIONAL DETENTION STANDARDS**

ODO reviewed a total of 16 PBNDS and found JCDF fully compliant with the following standards:

- Detainee Handbook
- Disciplinary System
- Food Service
- Funds and Personal Property
- Grievance System
- Law Libraries and Legal Material
- Medical Care
- Recreation
- Sexual Abuse and Assault Prevention and Intervention
- Special Management Units
- Staff-Detainee Communication
- Suicide Prevention and Intervention
- Telephone Access
- Use of Force and Restraints

As these 14 standards were compliant at the time of the review, a synopsis for these standards was not prepared for this report.

ODO found deficiencies in the following two standards:

- Admission and Release
- Classification System

Findings for each of these standards are presented in the remainder of this report.

## **ADMISSION AND RELEASE (A&R)**

ODO reviewed the Admission and Release standard at JCDF to determine if procedures are in place to protect the health, safety, security and welfare of each person during the admission and release process, in accordance with the ICE PBNDS. ODO reviewed policies, procedures, and detention files, interviewed facility staff and detainees, and observed the admission and release process.

Upon arrival at JCDF, detainees are searched, photographed, fingerprinted, medically screened, and provided an identification card and a wristband verifying the identity and classification level of each detainee. JCDF management provides a facility orientation, as well as a facility handbook and an ICE National Detainee Handbook provided in English and Spanish. Detainees view the ICE “Know Your Rights” video and a JCDF facility orientation video. JCDF staff creates a detention file for each detainee admitted to the facility.

Detainee property is inventoried and logged during the intake process. Property items are documented on a personal property form attached to the property bag. Valuables and personal property are appropriately stored in a secure area that is monitored 24 hours a day via closed circuit video cameras. JCDF conducts weekly audits of detainee property, which exceeds the PBNDS requirement for quarterly audits. Access to the property room is properly regulated.

ODO reviewed 20 detention files and confirmed all files contained a classification form, proof of hygiene items issued, and a signed receipt for the facility handbook and the ICE National Detainee Handbook. Detainees are provided with appropriate clothing and free hygiene supplies.

Prior to release, detainees are fingerprinted, sign a receipt for valuables and personal property, and surrender facility-issued clothing and bedding.

During this CI, ODO observed unattended, unsecured alien files on a table in the intake/release processing area, in close proximity to detainees being processed for release (**Deficiency AR-1**). Exclusive access by ICE staff to alien files, which are internal ICE records, prevents the loss of documents from within those files. ODO brought the unattended files to the attention of ICE management, and immediate action was taken to secure the files in a locked container.

## **STANDARD/POLICY REQUIREMENTS FOR DEFICIENT FINDINGS**

### **DEFICIENCY AR-1**

In accordance with the ICE PBNDS, Admission and Release, section (V)(D), the FOD must ensure, under no circumstances may non-ICE/DRO personnel have access to the detainee’s A-file.

## **CLASSIFICATION SYSTEM (CS)**

ODO reviewed the Classification System standard at JCDF to determine if there is a formal classification process for managing and separating detainees based on verifiable and documented data, in accordance with the ICE PBNDS. ODO interviewed staff, and reviewed policy, the housing roster, and detainee files.

ERO classifies detainees prior to admission to JCDF. Upon arrival, facility staff review and affirm the classification using the JCDF classification system. ODO determined the JCDF system conforms to the ERO system. Review of 18 detention files confirmed each file contained an ERO classification form, a criminal record, an Order to Detain/Release Alien, and documentation of a supervisory review. Procedures are in place for reclassifying detainees housed at JCDF for more than 60 days, when new information affecting classification levels is received, or following disciplinary action.

The JCDF detainee handbook addresses the classification system and procedures for appealing classification decisions. ODO interviewed eight Level III detainees, six Level II detainees, and three Level I detainees. All stated they were aware of the classification and appeal process.

A review of training records for (b)(7)e staff members confirmed completion of training in the classification system. ODO interviewed JCDF and ICE personnel who oversee classification and confirmed all demonstrated a full understanding of classification procedures. Based on a review of the grievance log and interviews of classification staff, ODO confirmed there were no grievances or appeals related to classification.

ODO confirmed Level I and Level III detainees are not co-located within housing units; however, ODO observed Level I and Level III detainees commingled outside of a housing unit (**Deficiency CS-1**). ODO noted six unrestrained detainees being escorted to a consular telephone conference: three in red uniforms signifying a Level III classification, and three in blue uniforms signifying a Level I classification. ODO verified the classification levels of each detainee by examining identification cards. While touring the admissions area of the facility, ODO observed a Level III detainee in a holding cell with a Level I detainee. Both situations were immediately brought to the attention of facility management and ERO staff, and necessary actions were taken to separate the detainees. To ensure detainee safety, it is critical Level I and Level III detainees are separated at all times. Commingling detainees with violent criminal histories and detainees with non-violent criminal histories could result in a life-safety issue.

## **STANDARD/POLICY REQUIREMENTS FOR DEFICIENT FINDINGS**

### **DEFICIENCY CS-1**

In accordance with ICE PBNDS, Classification System, section (V)(F)(3), the FOD must ensure Level 3 detainees may not be co-mingled with Level 1 detainees.