



U.S. Department of Homeland Security
Immigration and Customs Enforcement
Office of Professional Responsibility
Inspections and Detention Oversight Division
Washington, DC 20536-5501

Office of Detention Oversight Compliance Inspection

Enforcement and Removal Operations
ERO Phoenix Field Office
Florence Service Processing Center
Florence, AZ

May 24–26, 2016

**COMPLIANCE INSPECTION
for the
FLORENCE SERVICE PROCESSING CENTER
Florence, Arizona**

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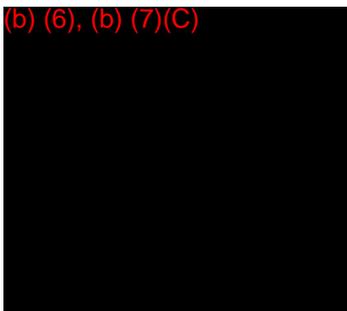
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INSPECTION TEAM MEMBERS



Lead Inspections and Compliance Specialist	ODO
Inspections and Compliance Specialist	ODO
Inspections and Compliance Specialist	ODO
Contractor	Creative Corrections

EXECUTIVE SUMMARY

The Office of Detention Oversight (ODO) conducted a compliance inspection of the Florence Service Processing Center (FSPC) in Florence, Arizona, from May 24 to 26, 2016.¹ FSPC opened in 1963 and is owned by U.S. Immigrations and Customs Enforcement (ICE) and operated by Asset Protection & Security Services LP (APSS). The Office of Enforcement and Removal Operations (ERO) began housing detainees at FSPC in 1983 as a Service Processing Center under the oversight of ERO’s Field Office Director (FOD) in Phoenix, AZ.

ERO staff members are assigned to the facility. A Detention Services Manager is assigned to the facility. An Assistant Field Office Director (AFOD) is responsible for oversight of daily facility operations and is supported by (b) (7) personnel. ICE Health Services Corps (IHSC) provides medical service and Ahtna Technical Services, Inc. provides food service. The facility is accredited by the American Correctional Association and the National Commission on Correctional Health Care.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	392
Average ICE Detainee Population ³	394
Male Detainee Population (as of 05/24/2016)	350
Female Detainee Population (as of 05/24/2016)	0

OVERALL FINDINGS

In December 2012, ODO conducted an inspection of the FSPC under the Performance-Based National Detention Standards (PBNDS) 2008. ODO reviewed the facility’s compliance with 16 standards and found the facility compliant with 15 standards. ODO found one deficiency in the remaining standard.

Inspection Results Compared	FY 2012 (PBNDS 2008)	FY2016 (PBNDS 2011)
Standards Reviewed	16	16
Deficient Standards	1	1
Overall Number of Deficiencies	1	2
Deficient Priority Components	0	0
Corrective Actions Initiated	0	2

In FY2016, ODO conducted an inspection of the FSPC under the Performance- Based National Detention Standards (PBNDS) 2011. ODO reviewed the facility’s compliance with 16 standards and found the facility compliant with 15 standards. ODO found two deficiencies in the remaining standard. Finally, ODO identified two instances in which the facility initiated corrective action during the course of the inspection.⁴

¹ Male detainees with low and medium low security classification levels are detained at the facility for longer than 72 hours.

² Data Source: ERO Facility List Report as of May 2, 2016.

³ *Ibid.*

⁴ Corrective actions, where immediately implemented, best practices, and ODO recommendations, as applicable, have been identified in the Inspection Findings section and annotated with a “C,” “BP,” or “R,” respectively.

FINDINGS BY PBNDS 2011 MAJOR CATEGORIES

PBNDS 2011 STANDARDS INSPECTED ⁵	DEFICIENCIES
Part 1 – Safety	
1.2 - Environmental Health and Safety	0
Sub-Total	0
Part 2 – Security	
2.1 - Admission and Release	0
2.2 - Custody Classification System	0
2.5 - Funds and Personal Property	0
2.11 - Sexual Abuse and Assault Prevention and Intervention	2
2.12 - Special Management Units	0
2.13 - Staff-Detainee Communication	0
2.15 - Use of Force and Restraints	0
Sub-Total	2
Part 4 – Care	
4.1 - Food Service	0
4.3 - Medical Care	0
4.4 - Medical Care (Women)	0
4.6 - Suicide Prevention and Intervention	0
Sub-Total	0
Part 5 – Activities	
5.6 - Telephone Access	0
Sub-Total	0
Part 6 – Justice	
6.1 - Detainee Handbook	0
6.2 - Grievance System	0
6.3 - Law Libraries and Legal Material	0
Sub-Total	0
Total Deficiencies	2

⁵ For greater detail on ODO's findings, see the *Inspection Findings* section of this report.

INSPECTION PROCESS

Every fiscal year, the Office of Detention Oversight (ODO), a unit within U.S. Immigration and Customs Enforcement's (ICE) Office of Professional Responsibility (OPR), conducts compliance inspections at detention facilities in which detainees are accommodated for periods in excess of 72 hours and with an average daily population greater than ten to determine compliance with the ICE National Detention Standards (NDS) 2000, or the Performance-Based National Detention Standards (PBNDS) 2008 or 2011, as applicable.

During the compliance inspection, ODO reviews each facility's compliance with those detention standards that directly affect detainee health, safety, and/or well-being.⁶ Any violation of written policy specifically linked to ICE detention standards, ICE policies, or operational procedures that ODO identifies is noted as a deficiency. ODO also highlights any deficiencies found involving those standards that ICE has designated under either the PBNDS 2008 or 2011, to be "priority components."⁷ Priority components have been selected from across a range of detention standards based on their critical importance to facility security and/or the health and safety, legal rights, and quality of life of detainees in ICE custody.

Immediately following an inspection, ODO hosts a closeout briefing in person with both facility and ERO field office management to discuss their preliminary findings, which are summarized and provided to ERO in a preliminary findings report. Thereafter, ODO provides ERO with a final compliance inspection report to: (i) assist ERO in working with the facility to develop a corrective action plan to resolve identified deficiencies; and (ii) provide senior ICE and ERO leadership with an independent assessment of the overall state of ICE detention facilities. The reports enable senior agency leadership to make decisions on the most appropriate actions for individual detention facilities nationwide.

⁶ ODO reviews the facility's compliance with selected standards in their entirety.

⁷ Priority components have not been identified for the NDS.

DETAINEE RELATIONS

ODO interviewed 30 detainees, each of whom volunteered to participate. None of the detainees made allegations of mistreatment, abuse, or discrimination. The majority of detainees reported being satisfied with facility services, with the exception of the complaint below:

Detainee Handbook: Two detainees complained they did not receive the ICE National Detainee Handbook and/or the facility handbook.

- Action Taken: ODO reviewed the detainees' detention files and found they both signed for the ICE National Detainee Handbook and facility handbook during admission to FSPC. Additionally, ODO observed that copies of both handbooks are located in each housing unit for detainees to review, as needed.

INSPECTION FINDINGS

SECURITY

SEXUAL ABUSE AND ASSAULT PREVENTION AND INTERVENTION (SAAPI)

ODO reviewed the FSPC SAAPI policy and found that the policy was reviewed and approved by the facility administrator in May of 2015. ODO found that although the policy addressed the majority of the elements required by the standard, the policy did not address procedures for coordinating internal administrative investigations with the assigned criminal investigative entity to ensure non-interference with criminal investigations (**Deficiency SAAPI-1**⁸).

Corrective Action: The facility initiated corrective action by updating the SAAPI policy to identify procedures for coordination of internal administrative investigations with the assigned criminal investigative entity to ensure non-interference with criminal investigations (**C-1**).

ODO reviewed the incident reports concerning four detainee allegations of sexual assault and/or abuse and found the facility appropriately conducted a medical examination and separated the alleged victim in each case. ODO also learned that of the four allegations, three were substantiated during investigation. Upon review of the detention records for the three detainees with substantiated allegations, ODO found each was returned to general population without first undergoing reclassification (**Deficiency SAAPI-2**⁹). ODO notes that two of the three detainees returned to general population voluntarily while the investigations of their allegations were ongoing; however, the third detainee was returned to general population after the investigation of his allegation was completed, and his allegation was substantiated. ERO staff interviewed by ODO stated it is not their practice to re-classify victims of sexual abuse or assault prior to returning them to general population.

Corrective Action: The facility initiated corrective action by disseminating a message to facility supervisors reminding them to comply with the SAAPI standard and facility policy which both require that any detainee who has been subjected to sexual abuse or assault be properly re-classified before returning to general population (**C-2**).

⁸ “The facility administrator shall review and approve the local policy and procedures and shall ensure that the facility: specifies procedures for coordination of internal administrative investigations with the assigned criminal investigative entity to ensure non-interference with criminal investigations....” See ICE PBNDS 2011, Standard, Sexual Abuse and Assault Prevention and Intervention, Section (V)(A)(7).

⁹ “A detainee who is subjected to sexual abuse or assault shall not be returned to general population until proper reclassification, taking into consideration any increased vulnerability of the detainee as a result of the sexual abuse or assault, is completed.” See ICE PBNDS 2011, Standard, Sexual Abuse and Assault Prevention and Intervention, Section (V)(G).