



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 Houston Field Office

Montgomery ICE Processing Center
Conroe, Texas

November 29 - December 2, 2021

COMPLIANCE INSPECTION
of the
MONTGOMERY ICE PROCESSING CENTER
Conroe, Texas

TABLE OF CONTENTS

FACILITY OVERVIEW	4
COMPLIANCE INSPECTION PROCESS	5
FINDINGS BY PERFORMANCE-BASED NATIONAL DETENTION STANDARDS (PBNDS) 2011 (REVISED 2016) MAJOR CATEGORIES	6
DETAINEE RELATIONS	7
COMPLIANCE INSPECTION FINDINGS	7
ACTIVITIES	7
Correspondence and Other Mail	7
ADMINISTRATION AND MANAGEMENT	7
Detention Files	7
Detainee Transfers	8
CONCLUSION	8

COMPLIANCE INSPECTION TEAM MEMBERS

[REDACTED]	Acting Team Lead	ODO
[REDACTED]	Inspections and Compliance Specialist	ODO
[REDACTED]	Inspections and Compliance Specialist	ODO
[REDACTED]	Contractor	Creative Corrections
[REDACTED]	Contractor	Creative Corrections
[REDACTED]	Contractor	Creative Corrections
[REDACTED]	Contractor	Creative Corrections

FACILITY OVERVIEW

The U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) Office of Detention Oversight (ODO) conducted a compliance inspection of the Montgomery ICE Processing Center (MIPC) in Conroe, Texas, from November 29 to December 2, 2021.¹ The facility opened in 2018 and is owned and operated by the GEO Secure Services, Inc. (GEO). The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at MIPC in 2018 under the oversight of ERO’s Field Office Director in Houston (ERO Houston). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has assigned deportation officers and a detention services manager to the facility. An MIPC warden handles daily facility operations and manages █████ support personnel. GEO provides food services, ICE Health Service Corps provides medical care, and Keefe Commissary provides commissary services at the facility. The facility was accredited by the American Correctional Association in November 2020. Also in November 2020, MIPC was audited for the Department of Homeland Security (DHS) Prison Rape Elimination Act (PREA) and was DHS PREA certified.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ²	████
Average ICE Population ³	████
Adult Male Population (as of November 29, 2021)	████
Adult Female Population (as of November 29, 2021)	████

During its last inspection, in Fiscal Year (FY) 2021, ODO found one deficiency in the following area: Funds and Personal Property (1).

¹ This facility holds both male and female detainees with low, medium-low, medium-high, and high security classification levels for periods greater than 72 hours.

² Data Source: ERO Facility List as of November 30, 2021.

³ *Ibid.*

COMPLIANCE INSPECTION PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population greater than 10, and where detainees are housed for over 72 hours, to assess compliance with ICE national detention standards. These inspections focus solely on facility compliance with detention standards that directly affect detainee life, health, safety, and/or well-being.⁴

ODO identifies violations of ICE detention standards, ICE policies, or operational procedures, as "deficiencies." ODO highlights instances when the facility resolves deficiencies prior to completion of the ODO inspection. Where applicable, these corrective actions are annotated with "C" under the *Compliance Inspection Findings* section of this report.

Upon completion of each inspection, ODO conducts a closeout briefing with facility and local ERO officials to discuss preliminary findings. A summary of these findings is shared with ERO management officials. Thereafter, ODO provides ICE leadership with a final compliance inspection report to: (i) assist ERO in developing and initiating corrective action plans; and (ii) provide senior executives with an independent assessment of facility operations. ODO's findings inform ICE executive management in its decision-making to better allocate resources across the agency's entire detention inventory.

ODO was unable to conduct an on-site inspection of this facility, as a result of the COVID-19 pandemic, and instead, conducted a remote inspection of the facility. During this remote inspection, ODO interviewed facility staff, ERO field office staff, and detainees, reviewed files and detention records, and was able to assess compliance for at least 90 percent or more of the ICE national detention standards reviewed during the inspection.

⁴ ODO reviews the facility's compliance with selected standards in their entirety.

FINDINGS BY PERFORMANCE-BASED NATIONAL DETENTION STANDARDS (PBNDS) 2011 (REVISED 2016) MAJOR CATEGORIES

PBNDS 2011 (Revised 2016) Standards Inspected ^{5,6}	Deficiencies
Part 1 - Safety	
Emergency Plans	0
Environmental Health and Safety	0
Sub-Total	0
Part 2 - Security	
Admission and Release	0
Custody Classification System	0
Funds and Personal Property	0
Post Orders	0
Searches of Detainees	0
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	0
Use of Force and Restraints	0
Sub-Total	0
Part 4 - Care	
Food Service	0
Hunger Strikes	0
Medical Care	0
Medical Care (Women)	0
Personal Hygiene	0
Significant Self-harm and Suicide Prevention and Intervention	0
Sub-Total	0
Part 5 - Activities	
Correspondence and Other Mail	1
Trips for Non-Medical Emergencies	0
Marriage Requests	0
Voluntary Work Program	0
Sub-Total	1
Part 6 - Justice	
Legal Rights Group Presentations	0
Sub-Total	0
Part 7 - Administration and Management	
Detention Files	2
Interviews and Tours	0

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

⁶ Beginning in FY 2022, ODO instituted a process of rotating all standards on a 3-year basis. As a result, some standard components may not be present in all inspections.

Detainee Transfers	2
Sub-Total	4
Total Deficiencies	5

DETAINEE RELATIONS

ODO interviewed 12 detainees, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. All detainees reported satisfaction with facility services. ODO attempted to conduct detainee interviews via video teleconference; however, ERO Houston and the MIPC were not able to accommodate this request due to technology issues. As such, ODO conducted the detainee interviews via telephone.

COMPLIANCE INSPECTION FINDINGS

ACTIVITIES

CORRESPONDENCE AND OTHER MAIL (COM)

ODO reviewed the facility’s supplemental handbook and found the handbook does not notify detainees that identity documents, such as passports, birth certificates, etc., in a detainee’s possession are contraband and ERO may use it as evidence against the detainee or for other purposes authorized by law (**Deficiency COM-22⁷**).

ADMINISTRATION AND MANAGEMENT

DETENTION FILES (DF)

ODO reviewed ■ detainee detention files and found all ■ files did not contain a Non-Citizen Booking Record (Form I-385) (**Deficiency DF-9⁸**).

ODO reviewed ■ archived detainee detention files and found in ■ out of ■ files, the facility did not place the original Form I-385 into the file before closing and archiving the file (**Deficiency DF-18⁹**).

⁷ “The facility shall notify detainees of its rules on correspondence and other mail through the detainee handbook, or supplement, provided to each detainee upon admittance. At a minimum, the notification shall specify: ...

8. That identity documents, such as passports, birth certificates, etc., in a detainee’s possession are contraband and may be used by ICE/ERO as evidence against the detainee or for other purposes authorized by law (however, upon request, the detainee shall be provided a copy of each document, certified by an ICE/ERO officer to be a true and correct copy; the facility shall consult ICE/ERO with any and all requests for identity documents).” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(8).

⁸ “The file shall, at a minimum, contain the following documentation:

a. I-385, Alien Booking Record, with one or more original photograph(s) attached.” See ICE PBNDS 2011 (Revised 2016), Standard, Detention Files, Section (V)(B)(1)(a).

⁹ “Upon the detainee’s release from the facility, staff shall add final documents to the file before closing and archiving the file and after inserting the following: ...

c. The original I-385 and other documentation.” See ICE PBNDS 2011 (Revised 2016), Standard, Detention

DETAINEE TRANSFERS (DT)

ODO reviewed █ transferred detainee detention files and found all █ files did not contain detainee acknowledgement forms stating that a detainee may place a domestic phone call, at no personal expense, upon admission into the receiving facility (**Deficiency DT-15¹⁰**).

ODO reviewed █ transferred detainee detention files and found in █ out of █ files, the facility did not place a copy of the Detainee Transfer Notification Form in the detainee's detention file (**Deficiency DT-16¹¹**).

CONCLUSION

During this inspection, ODO assessed the facility's compliance with 24 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 21 of those standards. ODO found five deficiencies in the remaining three standards. ODO commends MIPC for its responsiveness during this inspection. ODO recommends ERO Houston work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations. ERO provided ODO with the uniform corrective action plan for ODO's last inspection of MIPC on May 24, 2021.

Compliance Inspection Results Compared	Second FY 2021 PBNDS 2011 (Revised 2016)	First FY 2022 PBNDS 2011 (Revised 2016)
Standards Reviewed	13	24
Deficient Standards	1	3
Overall Number of Deficiencies	1	5
Repeat Deficiencies	0	0
Areas Of Concern	0	0
Corrective Actions	1	0
Facility Rating	N/A	Superior

Files, Section (V)(E)(1)(c).

¹⁰ "The sending facility shall ensure that the detainee acknowledges, in writing, that: ...

3. he or she may place a domestic phone call, at no expense to the detainee, upon admission into the receiving facility." See ICE PBNDS 2011 (Revised 2016), Standard, Detainee Transfers, Section (V)(B)(2)(c)(3).

¹¹ "The sending facility will place a copy of the Detainee Transfer Notification Form in the detainee's detention file." See ICE PBNDS 2011 (Revised 2016), Standard, Detainee Transfers, Section (V)(B)(2)(d).