



U.S. Department of Homeland Security
U.S. 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 Atlanta Field Office

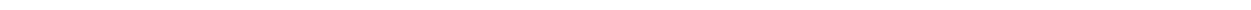
Stewart Detention Center
Lumpkin, Georgia

September 14-17, 2020

**COMPLIANCE INSPECTION
of the
STEWART DETENTION CENTER
Lumpkin, Georgia**

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COMPLIANCE INSPECTION TEAM MEMBERS

[REDACTED]	Team Lead	ODO
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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 Stewart Detention Center (SDC) in Lumpkin, Georgia, from September 14 to 17, 2020.¹ The facility opened in 2006 and is owned and operated by CoreCivic. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at SDC in 2006 under the oversight of ERO's Field Office Director in Atlanta (ERO Atlanta). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has deportation officers assigned to the facility. An SDC warden handles daily facility operations and is supported by ■■■ personnel. Trinity Food Service provides food services, CoreCivic provides medical care, and Keefe Supply Company provides commissary services at the facility. The facility was accredited by the American Correctional Association in 2018 and the National Commission on Correctional Health Care in 2020.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	1966
Average ICE Detainee Population ³	1381
Male Detainee Population (as of 9/8/2020)	1002
Female Detainee Population (as of 9/8/2020)	0

During its last inspection, in Fiscal Year (FY) 2019, ODO found 29 deficiencies in the following areas: Admission and Release (2); Custody Classification System (5); Facility Security and Control (1); Funds and Personal Property (2); Sexual Abuse and Assault Prevention and Intervention (1); Special Management Units (1); Food Service (2); Environmental Health and Safety (2); Medical Care (5); Personal Hygiene (1); Disability Identification, Assessment, and Accommodation (1); Use of Force and Restraints (2); Staff-Detainee Communication (1); Telephone Access (2); and Grievance System (1).

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

² Data Source: ERO Facility List Report as of September 8, 2020.

³ *Ibid.*

COMPLIANCE INSPECTION PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population greater than ten, and where detainees are housed for longer than 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 also highlights instances in which 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 their 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 2011 (REVISED 2016) MAJOR CATEGORIES

PBNDs 2011 (Revised 2016) Standards Inspected ⁵	Deficiencies
Part 1 – Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 – Security	
Admission and Release	2
Custody Classification System	2
Funds and Personal Property	0
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	0
Staff-Detainee Communication	0
Use of Force and Restraints	0
Sub-Total	4
Part 4 – Care	
Food Service	0
Hunger Strikes	0
Medical Care	0
Significant Self-harm and Suicide Prevention and Intervention	0
Disability Identification, Assessment, and Accommodation	0
Sub-Total	0
Part 5 – Activities	
Recreation	0
Religious Practices	0
Telephone Access	0
Visitation	0
Sub-Total	0
Part 6 – Justice	
Grievance System	0
Law Libraries and Legal Material	0
Sub-Total	0
Total Deficiencies	4

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

DETAINEE RELATIONS

ODO conducted 12 detainee interviews, via video teleconference, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. Most detainees reported satisfaction with facility services except for the concerns listed below.

Law Libraries and Legal Material: One detainee stated the law library computer contained an outdated copy of LexisNexis.

- Action Taken: ODO interviewed facility staff who provided evidence of the software currently installed on the law library computers. ODO confirmed the LexisNexis software was current.

Telephone Access: One detainee stated two telephones in housing [REDACTED] have been out of order for over a week and several complaints have been made regarding the phones.

- Action Taken: ODO reviewed the telephone service requests and three months of telephone daily check logs and found only one documented instance of telephones in housing [REDACTED] with an issue. In that instance, staff determined the telephone was off the hook. ODO interviewed the chief of unit management, who confirmed all telephones in housing [REDACTED] were operational.

COMPLIANCE INSPECTION FINDINGS

SECURITY

ADMISSION AND RELEASE (A&R)

ODO found four out of 10 detainee files did not contain the Order to Detain Form (Form I-203) signed by an ERO authorizing official (**Deficiency A&R-1⁶**).

ODO found three out of three detainee files did not contain an Order to Release Form (Form I-203a) signed by an ERO authorizing official (**Deficiency A&R-2⁷**).

CUSTODY CLASSIFICATION SYSTEM (CCS)

ODO found one out of 13 detainee files indicated the facility staff did not complete a detainee reclassification within 90 - 120 days (**Deficiency CCS-1⁸**).

ODO found two out of 13 detainee files indicated the facility staff did not reclassify the detainees before their release from the special management unit (**Deficiency CCS-2⁹**).

CONCLUSION

During this inspection, ODO assessed the facility's compliance with 19 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 17 of those standards. ODO found four deficiencies in the remaining two standards, all of which were repeat deficiencies. ODO commends facility staff for their responsiveness during this inspection and for substantially decreasing the deficiencies from ODO's last inspection. ODO recommends ERO work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations.

⁶ "An Order to Detain or an Order to Release the detainee (Form I-203 or I-203a), bearing the appropriate ICE/ERO Authorizing Official signature, must accompany each newly arriving detainee." *See* ICE PBNDS 2011, Standard, Admission and Release, Section (V)(E). **This is a repeat deficiency.**

⁷ "A detainee's out-processing begins when release processing staff receive Form I-203, "Order to Detain or Release," signed by authorizing official." *See* ICE PBNDS 2011, Standard, Admission and Release, Section (V)(H)(1). **This is a repeat deficiency.**

⁸ "Subsequent reclassification assessments shall be completed at 90- to 120-day intervals." *See* ICE PBNDS 2011, Standard, Custody Classification System, Section (V)(H)(2). **This is a repeat deficiency.**

⁹ "Staff shall complete a special reclassification within 24 hours before a detainee leaves the Special Management Unit (SMU), following an incident of abuse or victimization, and at any other time when warranted based upon the receipt of additional, relevant information, such as after criminal act, or if a detainee wins a criminal appeal, is pardoned or new criminal information comes to light." *See* ICE PBNDS 2011, Standard, Custody Classification System, Section (V)(H)(3). **This is a repeat deficiency.**

Compliance Inspection Results Compared	FY 2019 PBND 2011 (Revised 2016)	FY 2020 PBND 2011 (Revised 2016)
Standards Reviewed	20	19
Deficient Standards	15	2
Overall Number of Deficiencies	29	4
Repeat Deficiencies	3	4
Corrective Actions	3	0