



U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
ICE Inspections
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**Office of Detention Oversight
Compliance Inspection**

**Enforcement and Removal Operations
ERO New Orleans Field Office**

**Allen Parish Public Safety Complex
Oberlin, Louisiana**

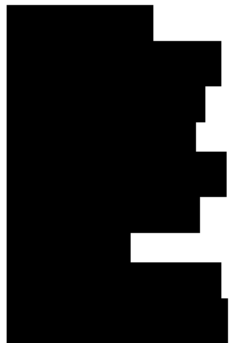
October 18-20, 2022

COMPLIANCE INSPECTION
of the
ALLEN PARISH PUBLIC SAFETY COMPLEX
Oberlin, Louisiana

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COMPLIANCE INSPECTION TEAM MEMBERS



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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 Allen Parish Public Safety Complex (APPSC) in Oberlin, Louisiana, from October 18 to 20, 2022.¹ The facility opened in 2015 and is owned by Allen Parish and operated by the Allen Parish Sheriff's Office. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at APPSC in 2016 under the oversight of ERO's Field Office Director (FOD) in New Orleans (ERO New Orleans). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has assigned deportation officers to the facility. A warden handles daily facility operations and manages support personnel. APPSC provides food services and medical care, and Brothers Commissary provides commissary services at the facility. In April 2019, APPSC 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 October 18, 2022)	
Adult Female Population (as of October 18, 2022)	

During its last inspection, in Fiscal Year (FY) 2022, ODO found 40 deficiencies in the following areas: Admission and Release (1); Custody Classification System (2); Emergency Plans (4); Environmental Health and Safety (6); Facility Security and Control (5); Food Service (11); Hunger Strikes (4); Medical Care (4); and Special Management Units (3).

¹ This facility holds male 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 October 17, 2022.

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 their decision-making to better allocate resources across the agency’s entire detention inventory.

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	2
Environmental Health and Safety	3
Transportation (by Land)	32
Sub-Total	37
Part 2 – Security	
Admission and Release	0
Custody Classification System	0
Contraband	0
Funds and Personal Property	0
Key and Lock Control	1
Sexual Abuse and Assault Prevention and Intervention	3
Special Management Units	0
Tool Control	1
Use of Force and Restraints	0
Sub-Total	5
Part 3 – Order	
Disciplinary System	6
Sub-Total	6
Part 4 – Care	
Food Service	5
Medical Care	0
Significant Self-harm and Suicide Prevention and Intervention	0
Terminal Illness, Advance Directives and Death	0
Disability Identification, Assessment, and Accommodation	0
Sub-Total	5
Part 5 – Activities	
Correspondence and Other Mail	14
Recreation	1
Visitation	4
Sub-Total	19

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 standards.

Part 6 - Justice	
Detainee Handbook	2
Sub-Total	2
Part 7 - Administration and Management	
Staff Training	0
Sub-Total	0
Total Deficiencies	74

DETAINEE RELATIONS

ODO interviewed 33 detainees, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. One detainee stated he had thoughts of harming himself, and ODO immediately referred the detainee to ERO New Orleans and facility medical staff for evaluation. Most detainees reported satisfaction with facility services except for the concerns listed below.

Medical Care: One detainee stated his dissatisfaction with APPSC’s treatment for his heart murmur, causing him blurred vision at night.

- **Action Taken:** ODO interviewed the APPSC health services administrator, reviewed the detainee’s medical record, and confirmed the detainee arrived on August 15, 2022, and reported no health concerns during his initial medical screening. On August 18, 2022, a nurse practitioner (NP) conducted a comprehensive health evaluation and noted no concerns. On September 14, 2022, the detainee submitted a sick call request for chest pain and medical staff evaluated him on the same day, ordering an electrocardiogram (EKG) test. The NP informed the detainee of the normal results from the EKG. On September 20, 2022, an NP followed up with the detainee, and the detainee said the medical care resolved his symptoms and he had no other complaints. On October 16, 2022, the detainee submitted a sick call request for a headache, and an NP prescribed a standing order of ibuprofen tablets (200 mg), as needed. Following his interview with ODO on October 18, 2022, the detainee submitted a sick call request, complaining of chest pain when laying down at night but no mention of blurred vision. An APPSC nurse triaged the detainee on the same day and scheduled the detainee for an appointment with an NP for October 21, 2022. ODO followed-up after the inspection and learned that on October 20, 2022, an NP evaluated the detainee and found nothing abnormal. The NP prescribed the detainee ibuprofen 600mg daily for 30 days.

Significant Self-harm and Suicide Prevention and Intervention: One detainee stated he had thoughts of self-harm.

- **Action Taken:** ODO immediately concluded the interview and notified ERO New Orleans, APPSC facility staff, and ODO leadership. On October 18, 2022, APPSC facility staff decided to place the detainee on suicide watch, coordinated with ERO New Orleans, and transferred the detainee to Pine Prairie ICE Processing Center (PPIP) to be placed on suicide watch because APPSC’s suicide watch cells were fully

occupied. On October 19, 2022, the facility psychologist evaluated the detainee who stated he had thoughts of punching a wall due to frustration but did not have any thoughts nor intent of harming himself. PPIPC’s suicide prevention team convened and agreed to discontinue suicide watch and the detainee was admitted to PPIPC’s general population. A follow-up appointment with the psychologist was scheduled for October 21, 2022, but the detainee refused the visit and stated he was in good mental health and did not require further mental health services.

COMPLIANCE INSPECTION FINDINGS

SAFETY

EMERGENCY PLANS (EP)

ODO reviewed APPSC simulated exercise reports on the testing of facility contingency plans and found the facility did not conduct annual simulated exercises jointly with local, state, and federal law enforcement agencies (**Deficiency EP-14⁷**). **This is a repeat deficiency.**

ODO reviewed the emergency recall list located in the control center and found the notice did not contain the required information. Specifically, the notice did not include the following verbiage:

“This information must be safeguarded. Use is restricted to those who need the information in the performance of their official duties. Misuse may subject the user to criminal liability. This agency shall view any misuse of this information as a serious violation of the employee code of conduct, which may result in disciplinary action, including removal.”

(Deficiency EP-45⁸).

ENVIRONMENTAL HEALTH AND SAFETY (EHS)

ODO reviewed APPSC EHS policy and weekly and monthly inspection reports, toured the facility, interviewed facility staff, and found facility management did not ensure staff and detainees maintain a high standard of facility sanitation and general cleanliness. Specifically, ODO observed housing units H and I had showers with peeling paint and hard-water stains, graffiti on the walls, food debris on the wall above trash cans, and rust on the bunks. Additionally, ODO observed housing unit Z and found mildew on the unit’s ceiling (**Deficiency EHS-11⁹**). **This is a repeat**

⁷ “Simulated exercises to test the contingency plans shall occur on a regular, mutually agreed-upon basis and recur annually at a minimum.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Emergency Plans, Section (V)(C)(1)(b)(3).

⁸ “The facility should prominently feature the following notice: ‘This information must be safeguarded. Use is restricted to those who need the information in the performance of their official duties. Misuse may subject the user to criminal liability. This agency shall view any misuse of this information as a serious violation of the employee code of conduct, which may result in disciplinary action, including removal.’” *See* ICE PBNDS 2011 (Revised 2016), Standard, Emergency Plans, Section (V)(D)(3).

⁹ “The facility administrator shall ensure that staff and detainees maintain a high standard of facility sanitation and general cleanliness. When possible, the use of non-toxic cleaning supplies is recommended.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Environmental Health and Safety, Section (V)(A)(3).

deficiency.

ODO toured the facility and found facility fire evacuation diagrams did not have instructions in Spanish and the next most prevalent language at the facility. Additionally, ODO found facility fire evacuation diagrams did not include a “You Are Here” marker nor identify the location of emergency equipment (**Deficiency EHS-114**¹⁰).

ODO reviewed APPSC EHS policy, toured the facility, and found the fire evacuation diagrams in the housing unit corridor and housing units did not identify nor explain “Areas of Safe Refuge” (**Deficiency EHS-115**¹¹).

TRANSPORTATION (BY LAND) (TBL)

ODO reviewed APPSC TBL policy and found the facility administrator did not develop nor implement procedures nor guidelines in the event of severe weather or natural disaster (**Deficiency TBL-8**¹²).

ODO reviewed APPSC transportation policy and found the facility administrator did not develop nor implement procedures nor guidelines in the event of the transport of detainees whose disabilities or special needs preclude prolonged travel (**Deficiency TBL-11**¹³).

ODO reviewed 48 daily transportation inspection forms and found in 48 out of 48 forms, transportation officers did not record vehicle odometer readings (**Deficiency TBL-36**¹⁴).

ODO toured the facility and found the facility did not post written guidelines for the tracing procedures to locate an overdue vehicle (**Deficiency TBL-122**¹⁵).

¹⁰ “In addition to a general area diagram, the following information must be provided on signs:

- a. Instructions in English, Spanish and the next most prevalent language at the facility;
- b. “You are here” markers on exit maps

See ICE PBNDS 2011 (Revised 2016), Standard, Environmental Health and Safety, Section (V)(C)(5)(a) and (c).

¹¹ “‘Areas of Safe Refuge’ shall be identified and explained on diagrams.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Environmental Health and Safety, Section (V)(C)(5).

¹² “The facility administrator shall develop and implement written policy, procedures and guidelines for the transportation of detainees, including, at a minimum procedures and necessary equipment in the event of severe weather or natural disaster;” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(A)(5)(c).

¹³ “The facility administrator shall develop and implement written policy, procedures and guidelines for the transportation of detainees, including, at a minimum procedures and necessary equipment in the event of transport of detainees whose disabilities or special needs preclude prolonged travel.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(A)(5)(f).

¹⁴ “The transporting officers shall comply with all state and federal motor vehicle regulations, including re-inspecting the vehicle after each trip and completing a vehicle inspection report, including an odometer reading;” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(D)(3)(g).

¹⁵ “Each office shall develop and post written guidelines for tracing procedures to locate an overdue vehicle.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(K)(1).

ODO reviewed APPSC transportation policy and found the facility administrator did not develop nor implement written policy, procedures, nor guidelines for en route emergencies to include:

- During an en route escape emergency, the vehicle crew shall prepare a fully documented written report of the escape and/or attempted escape (**Deficiency TBL-198¹⁶**);
- During an en route hostage emergency, if a hostage situation occurs onboard the vehicle, at least one assigned transportation staff member shall secure the vehicle perimeter while another notifies the closest ICE/ERO office of the situation (**Deficiency TBL-199¹⁷**);
- During an en route hostage emergency, the assigned transportation staff shall make every effort to determine who is involved and whether they are armed and relay the information to the ICE/ERO office and local law enforcement agencies (**Deficiency TBL-200¹⁸**);
- During an en route hostage emergency, regardless of demands, the transportation staff must not allow any hostage-taker(s) off the bus, with or without the hostages (**Deficiency TBL-203¹⁹**);
- During an en route hostage emergency to include a hostage situation shall effectively end a transportation assignment (**Deficiency TBL-204²⁰**);
- During an en route hostage emergency to include once a hostage situation is resolved, assigned transportation staff shall receive instructions regarding how and where to proceed (**Deficiency TBL-205²¹**);
- During an en route hostage emergency to include the vehicle crew's incident report shall note participants, witnesses, and action taken (**Deficiency TBL-206²²**);

¹⁶ “The facility administrator shall establish written procedures for transportation staff to follow during an en route emergency. The written procedures shall cover the following scenarios: ... The vehicle crew shall prepare a fully documented written report of the escape and/or attempted escape.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(2).

¹⁷ “Written procedures shall cover the following scenarios: If a hostage situation occurs on board the vehicle, at least one assigned transportation staff member shall secure the vehicle perimeter while another notifies the closest ICE/ERO office of the situation.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

¹⁸ “Written procedures shall cover the following scenarios: The assigned transportation staff shall make every effort to determine who is involved and whether they are armed, relaying this information to the ICE/ERO office and local law enforcement agencies.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

¹⁹ “Written procedures shall cover the following scenarios: Regardless of demands, the transportation staff shall not allow any hostage-taker(s) off the bus, with or without the hostages.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

²⁰ “Written procedures shall cover the following scenarios: Because of the need to interview witnesses, examine the crime scene, etc., a hostage situation shall effectively end a transportation assignment.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

²¹ “Written procedures shall cover the following scenarios: Once the hostage situation is resolved, assigned transportation staff shall receive instructions regarding how and where to proceed.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

²² “Written procedures shall cover the following scenarios: The vehicle crew's incident report shall note participants, witnesses and action taken.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(3).

- During an en route illness emergency, the transportation staff shall initiate lifesaving procedures as time appropriate, proceeding if security permits (**Deficiency TBL-209²³**);
- During an en route illness emergency, the closest ICE/ERO office shall prepare procurement paperwork and plan for hospitalization, security, etc. (**Deficiency TBL-210²⁴**);
- During an en route death emergency, if a detainee dies while in transit, assigned transportation staff shall notify the originating or receiving office as soon as possible and follow the procedures specified in standard “4.7 Terminal Illness, Advance Directives and Death” (**Deficiency TBL-211²⁵**);
- During an en route death emergency, the closest ICE/ERO office shall coordinate with other agencies, including the coroner, required to be on the scene when the body is removed from the vehicle (**Deficiency TBL-212²⁶**);
- During an en route death emergency, the removal of a deceased detainee shall take place in the state where the death occurred and follow standard “4.7 Terminal Illness, Advance Directives and Death” which specifies the procedures for assigned transportation staff to comply (**Deficiency TBL-213²⁷**);
- During an en route fire emergency, the crew shall fight a fire with the onboard equipment (**Deficiency TBL-215²⁸**);
- During an en route fire emergency, assigned transportation staff shall request assistance from the local fire department and law enforcement agency (**Deficiency TBL-216²⁹**);
- During an en route riot emergency, fight, or any disturbance, the assistant driver shall order the detainees to cease, and the driver shall attempt to move the vehicle to the side of the road (**Deficiency TBL-218³⁰**);

²³ “Written procedures shall cover the following scenarios: The transportation staff shall initiate life-saving procedures as time appropriate, proceeding if security permits.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(4).

²⁴ “Written procedures shall cover the following scenarios: The closest ICE/ERO office shall prepare procurement paperwork and make arrangements for hospitalization, security, etc.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(4).

²⁵ “Written procedures shall cover the following scenarios: If a detainee dies while in transit, assigned transportation staff shall notify the originating or receiving office as soon as possible and shall follow procedures specified in standard ‘4.7 Terminal Illness, Advance Directives and Death.’” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(5).

²⁶ “Written procedures shall cover the following scenarios: The closest ICE/ERO office shall coordinate with other agencies, including the coroner, required to be on the scene when the body is removed from the vehicle.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(5).

²⁷ “Written procedures shall cover the following scenarios: The removal must take place in the state where death occurred. Standard ‘4.7 Terminal Illness, Advance Directives and Death’ specifies the procedures with which assigned transportation staff must comply.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(5).

²⁸ “Written procedures shall cover ... The crew shall fight the fire with the onboard equipment.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(6).

²⁹ “Written procedures shall cover the following scenarios: If necessary, assigned transportation staff shall request assistance from the local fire department and law enforcement agency.” See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(6).

³⁰ “Written procedures shall cover the following scenarios: If a riot, fight, or any disturbance occurs on the bus, the assistant driver shall order the detainees to cease and the driver shall attempt to move the bus to the side of the road.”

- During an en route riot emergency, efforts shall be made to determine the instigators, number of detainees involved, names and A-numbers (**Deficiency TBL-220**³¹);
- During an enroute riot emergency, when sufficient assistance is available, the assigned transportation staff shall attempt to regain control, using only as much force as necessary (**Deficiency TBL-221**³²);
- During an en route riot emergency, assigned transportation staff shall not enter screened areas bearing arms (**Deficiency TBL-222**³³);
- During an en route traffic accident emergency, regardless of the severity of the accident, the assigned transportation staff shall report the accident to the local law enforcement agency and the nearest ICE/ERO office (**Deficiency TBL-225**³⁴);
- During an en route natural disaster emergency, staff shall not discuss the issue of responsibility for an accident (**Deficiency TBL-228**³⁵);
- During an en route traffic accident emergency, upon arriving at the receiving office, the assigned transportation staff shall report the accident to the FOD, or designee and prepare the required forms (**Deficiency TBL-229**³⁶);
- During an en route vehicle failure emergency, if the assigned transportation staff fails to connect with the ICE/ERO closest office, they shall attempt to reach a local law enforcement agency (**Deficiency TBL-233**³⁷);
- Procedures for transportation staff to follow in the event of severe weather or a natural disaster (**Deficiency TBL-234**³⁸);
- During an en route natural disaster emergency, the vehicle crew shall contact state authorities to assess road conditions along the planned route (**Deficiency TBL-235**³⁹);

See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(7).

³¹ “Written procedures shall cover the following scenarios: Efforts shall be made to determine the instigators, number of detainees involved, names and A-numbers.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(7).*

³² “Written procedures shall cover the following scenarios: When sufficient assistance is available, the assigned transportation staff shall attempt to regain control, using only as much force (e.g., with restraints or pepper spray) as necessary.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(7).*

³³ “Written procedures shall cover the following scenarios: Assigned transportation staff may not enter the screened area bearing arms.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(7).*

³⁴ “Written procedures shall cover the following scenarios: Regardless of the severity of the accident, the assigned transportation staff must report the accident to the local law enforcement agency and the nearest ICE/ERO office.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(8).*

³⁵ “Written procedures shall cover the following scenarios: The assigned transportation staff shall discuss the issue of responsibility for the accident only with their chain of command.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(8).*

³⁶ “Written procedures shall cover the following scenarios: Upon arriving at the receiving office, the assigned transportation staff shall report the accident to the Field Office Director, or designee and prepare the required forms.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(8).*

³⁷ “Written procedures shall cover the following scenarios: If the assigned transportation staff fail to connect with the ICE/ERO office, they shall try to reach a local law enforcement agency.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(9).*

³⁸ “Written procedures shall cover the following scenarios: The facility administrator shall develop written procedures for transportation officers to follow in the event of severe weather or a natural disaster.” *See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).*

³⁹ “Written procedures shall cover the following scenarios: In a flood, dust storm, ice storm, tornado or other natural disaster, the vehicle crew shall contact state authorities to assess road conditions along the planned route.” *See ICE*

- During an en route natural disaster emergency, if driving conditions are unlikely to improve, the vehicle crew shall look for a safe area to park the vehicle and request further instructions from the receiving office (**Deficiency TBL-236**⁴⁰);
- During an en route natural disaster emergency, if it becomes necessary to exit the vehicle, detainees shall be directed to a safe area (**Deficiency TBL-237**⁴¹);
- During an en route natural disaster emergency, officers shall maintain a heightened alertness for the duration of the emergency (**Deficiency TBL-238**⁴²); nor
- During an en route natural disaster emergency, when the emergency has passed, the assigned transportation staff shall return all detainees to the vehicle and conduct an accurate count (**Deficiency TBL-239**⁴³).

SECURITY

KEY AND LOCK CONTROL (KLC)

ODO reviewed the training records of two security key control officers and found both officers did not complete an approved locksmith training program (**Deficiency KLC-25**⁴⁴).

SEXUAL ABUSE AND ASSAULT PREVENTION AND INTERVENTION (SAAPI)

ODO reviewed APPSC PREA policy and found the policy did not include the facility requirement to cooperate with all ICE audits (**Deficiency SAAPI-13**⁴⁵).

ODO reviewed APPSC SAAPI staff training curriculum and found the training did not include a provision addressing the prevention, recognition, and appropriate responses to allegations or suspicions of sexual assault involving detainees with mental or physical disabilities (**Deficiency SAAPI-38**⁴⁶).

PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).

⁴⁰ “Written procedures shall cover the following scenarios: If driving conditions are unlikely to improve, the vehicle crew shall look for a safe area to park the vehicle and request further instructions from the receiving office.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).

⁴¹ “Written procedures shall cover the following scenarios: Should it become necessary to exit the vehicle, the detainees must be directed to a safe area.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).

⁴² “Written procedures shall cover the following scenarios: In such a case, officers must maintain a heightened alertness for the duration of the emergency.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).

⁴³ “Written procedures shall cover the following scenarios: When the emergency has passed, the assigned transportation staff shall return all detainees to the vehicle and conduct an accurate count.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(S)(10).

⁴⁴ “All security key control officers shall successfully complete an approved locksmith-training program.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Key and Lock Control, Section (V)(B)(2).

⁴⁵ “Each facility shall have written policy and procedures for a Sexual Abuse or Assault Prevention and Intervention Program including procedures for data collection and reporting; and the facility’s requirement to cooperate with all ICE audits and monitoring of facility compliance with sexual abuse and assault policies and standards.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Sexual Abuse and Assault Prevention and Intervention, Section (V)(A)(6).

⁴⁶ “Employee training shall ensure facility staff are able to fulfill their responsibilities under this standard and shall

Corrective Action: On October 20, 2022, the APPSC PREA coordinator updated the APPSC staff training content to include a provision addressing the prevention, recognition and appropriate responses to allegations or suspicions of sexual assault involving detainees with mental or physical disabilities. On the same day, the APPSC warden issued a memorandum to all APPSC staff informing them of the updated training curriculum (C-1).

ODO toured APPSC housing units and found sexual assault awareness notices did not contain the mailing address of local organizations who assist victims of sexual assault (**Deficiency SA-API-68**⁴⁷).

TOOL CONTROL (TC)

ODO reviewed the APPSC kitchen tool list and found the list did not specify tool sizes (**Deficiency TC-36**⁴⁸).

ORDER

DISCIPLINARY SYSTEM (DS)

ODO reviewed the APPSC site-specific detainee handbook and found no notice to detainees of their rights. Specifically, the handbook did not include:

- The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage, and harassment;
- The right to freedom from discrimination based on race, religion, national origin, gender, sexual orientation, physical or mental ability, or political beliefs;
- The right to pursue a grievance in accordance with procedures provided in the detainee handbook, without fear of retaliation; nor
- The right to correspond with persons or organizations, consistent with safety, security, and the orderly operation of the facility (**Deficiency DS-19**⁴⁹).

include prevention, recognition and appropriate response to allegations or suspicions of sexual assault involving detainees with mental or physical disabilities;" See ICE PBNDS 2011 (Revised 2016), Standard, Sexual Abuse and Assault Prevention and Intervention, Section (V)(E)(11).

⁴⁷ "The facility shall post with this notice the name of the PSA Compliance Manager and information about local organizations that can assist detainees who have been victims of sexual assault, including mailing addresses and telephone numbers (including toll-free hotline numbers where available)." See ICE PBNDS 2011 (Revised 2016), Standard, Sexual Abuse and Assault Prevention and Intervention, Section (V)(F)(3).

⁴⁸ "The lists shall indicate which of the listed tools are available on-site, describe them by type, and specify tool sizes." See ICE PBNDS 2011 (Revised 2016), Standard, Tool Control, Section (V)(C)(1).

⁴⁹ "Detainees shall have the following rights and shall receive notice of them in the handbook:

1. The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage and harassment;
2. The right of freedom from discrimination based on race, religion, national origin, gender, sexual orientation, physical or mental ability, or political beliefs;
3. The right to pursue a grievance in accordance with procedures provided in the detainee handbook, without fear of retaliation; ...
5. The right to correspond with persons or organizations, consistent with safety, security and the orderly operation of the facility."

ODO toured APPSC housing units and found housing unit I did not contain postings of the rules of conduct, rights, nor disciplinary sanctions in English, Spanish, nor any other language spoken by significant segments of the population (**Deficiency DS-20**⁵⁰).

ODO reviewed the APPSC site-specific detainee handbook and found the handbook did not include the facility disciplinary severity scale, prohibited acts, nor sanctions (**Deficiency DS-21**⁵¹).

ODO reviewed 17 Institution Disciplinary Panel (IDP) hearing reports and found in 7 out of 17 hearings, the Unit Disciplinary Committee (UDC) included the APPSC investigating officer (**Deficiency DS-58**⁵²).

ODO reviewed 17 IDP hearing reports and found in 17 out of 17 hearings, the IDP included the referring member of the UDC (**Deficiency DS-92**⁵³).

ODO reviewed 17 IDP hearing reports and found in 5 out of 17 hearings, the reports did not document the sanctions imposed nor provide a brief explanation (**Deficiency DS-110**⁵⁴).

CARE

FOOD SERVICE (FS)

ODO observed FS main serving line and found the design of the serving counter did not separate and insulate hot and cold foods. Specifically, a flat, stainless-steel table with no insulation functioned as the serving counter (**Deficiency FS-98**⁵⁵).

See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(B)(1-3) and (5).

⁵⁰ “Copies of the rules of conduct, rights and disciplinary sanctions shall be provided to all detainees and posted in English, Spanish, and other languages spoken by significant segments of the population with limited English proficiency.” *See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(B).*

⁵¹ “Copies of the rules of conduct, rights and disciplinary sanctions shall be provided to all detainees and posted in English, Spanish, and other languages spoken by significant segments of the population with limited English proficiency. Copies to be provided and posted are as follows:

1. Disciplinary Severity Scale;
2. Prohibited Acts; and
3. Sanctions.”

See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(B)(1-3).

⁵² “The UDC shall not include the reporting officer, the investigating officer, or an officer who witnessed or was directly involved in the incident, except in the unlikely event that every available officer witnessed or was directly involved in the incident.” *See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(F).*

⁵³ “The panel may not include the reporting officer, the investigating officer, any member of the referring UDC, or anyone who witnessed or was directly involved in the incident.” *See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(H).*

⁵⁴ “The report must also document the evidence considered by the Panel and subsequent findings and the decision and sanctions imposed, along with a brief explanation.” *See ICE PBNDS 2011 (Revised 2016), Standard, Disciplinary System, Section (V)(H)(5).*

⁵⁵ “The serving counter shall be designed and constructed to separate and insulate the hot foods on the one hand and the cold foods on the other. A transparent ‘sneeze guard’ is required.” *See ICE PBNDS 2011 (Revised 2016), Standard, Food Service, Section (V)(D)(4).*

ODO observed the APPSC satellite meal operation and found the FS staff did not place hot foods in a heated serving line during tray assembly (**Deficiency FS-266**⁵⁶).

ODO toured the APPSC FS area and found the facility did not segregate nor store all toxic, flammable, and caustic materials away from food products. Specifically, ODO observed one 5-gallon bucket of advanced chlorine sanitizer, two 5-gallon buckets of dishwashing detergent, and two 5-gallon buckets of rinse additive stored by the dishwashing machine. Additionally, ODO found two 5-gallon cleaner/sanitizer buckets and one 5-gallon pot-and-pan detergent bucket stored at the pot-and-pan cleaning station (**Deficiency FS-392**⁵⁷). **This is a repeat deficiency.**

ODO observed APPSC food preparation equipment and found no anti-restart device attached to the meat slicer (**Deficiency FS-402**⁵⁸).

ODO toured the APPSC dry storeroom and found no consistent monitoring of room temperatures needed to ensure a dry and cool storeroom to prevent the swelling of canned goods and general spoilage (**Deficiency FS-450**⁵⁹). **This is a repeat deficiency.**

ACTIVITIES

CORRESPONDENCE AND OTHER MAIL (COM)

ODO toured APPSC housing units and found all the units did not contain postings of the procedures for indigent detainees to request postage at government expense (**Deficiency COM-8**⁶⁰).

⁵⁶ “Hot foods must be placed in a heated serving line during tray assembly.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Food Service, Section (V)(I)(1).

⁵⁷ “Only those toxic and caustic materials required for sanitary maintenance of the facility, equipment and utensils shall be used in the food service department.

- a. All food service staff shall know where and how much toxic, flammable or caustic material is on hand, and shall be aware that their use must be controlled and accounted for daily...
- d. All toxic, flammable and caustic materials shall be segregated from food products and stored in a locked and labeled cabinet or room.
- e. Cleaning and sanitizing compounds shall be stored apart from food products.
- g. A system for intermediate storage of received hazardous substances shall secure the materials from time of receipt to time of issue.”

See ICE PBNDS 2011 (Revised 2016), Standard, Food Service, Section (V)(J)(11)(d).

⁵⁸ “Meat saws, slicers and grinders shall be equipped with anti-restart devices.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Food Service, Section (V)(J)(12)(c)(4).

⁵⁹ “Proper care and control of the dry storeroom involves keeping the storeroom dry and cool (45-80 F degrees) to prevent swelling of canned goods and general spoilage;” *See* ICE PBNDS 2011 (Revised 2016), Standard, Food Service, Section (V)(K)(7)(a).

⁶⁰ “Each facility shall have written procedures that explain how indigent detainees can request postage at government expense. Such procedures shall also be posted in a common area where all detainees can view them.” *See* ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(B).

ODO reviewed the APPSC site-specific detainee handbook and found the handbook did not include:

- Notification to detainees of the facility’s address (**Deficiency COM-14**⁶¹);
- Instructions on how outgoing mail must be addressed (**Deficiency COM-15**⁶²);
- Instructions on the proper labeling of mail as “special correspondence” or “legal mail” to ensure its treatment as privileged mail (**Deficiency COM-17**⁶³);
- Notification of the detainee’s responsibility to inform senders of the “special correspondence” or “legal mail” labeling requirement (**Deficiency COM-18**⁶⁴);
- Notification that outgoing special correspondence or legal mail shall not be opened, inspected, nor read (**Deficiency COM-19**⁶⁵);
- Notification that ICE/ERO may use identity documents in a detainee’s possession against the detainee or for other purposes authorized by law (**Deficiency COM-22**⁶⁶);
- The procedure to obtain writing implements, paper, nor envelopes (**Deficiency COM-25**⁶⁷); nor
- The procedure for purchasing postage (**Deficiency COM-26**⁶⁸).

ODO toured APPSC housing units and found all units did not contain postings of facility COM rules (**Deficiency COM-27**⁶⁹).

⁶¹ “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 a detainee may receive mail, the mailing address of the facility, and instructions on how envelopes shall be addressed.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(1).

⁶² “At a minimum, the notification shall specify a detainee may send mail, the procedure for sending mail, and instructions on how outgoing mail must be addressed.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(2).

⁶³ “At a minimum, the notification shall specify the definition of special correspondence or legal mail, including instructions on the proper labeling as ‘special correspondence’ or ‘legal mail’ to ensure that it is treated as privileged mail.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(4).

⁶⁴ “At a minimum, the notification shall specify the definition of special correspondence or legal mail, including instructions on the proper labeling as ‘special correspondence’ or ‘legal mail’ to ensure that it is treated as privileged mail; the notification shall clearly state that it is the detainee’s responsibility to inform senders of the labeling requirement.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(4).

⁶⁵ “At a minimum, the notification shall specify that incoming special correspondence or legal mail may only be opened in the detainee’s presence, and may be inspected for contraband, but not read, and that outgoing special correspondence or legal mail shall not be opened, inspected or read.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(5).

⁶⁶ “At a minimum, the notification shall specify 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).

⁶⁷ “At a minimum, the notification shall specify the procedure to obtain writing implements, paper and envelopes.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(9).

⁶⁸ “At a minimum, the notification shall specify the procedure for purchasing postage (if any), and the rules for providing indigent and certain other detainees free postage.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(C)(10).

⁶⁹ “The rules notification shall be posted in each housing area.” See ICE PBNDS 2011 (Revised 2016), Standard,

ODO interviewed facility staff and found the facility did not obtain detainee signatures for general deliveries, priority, overnight, nor certified mail (**Deficiency COM-36**⁷⁰).

ODO reviewed APPSC COM policy and found the policy did not define detainee written communication as “Special correspondence” or “legal mail” from:

- The Office for Civil Rights and Civil Liberties and the Office of the Inspector General (**Deficiency COM-53**⁷¹);
- Outside health care professionals (**Deficiency COM-54**⁷²); nor
- Representatives of the news media (**Deficiency COM-56**⁷³).

RECREATION (R)

ODO reviewed the APPSC site-specific detainee handbook, toured the facility, and found the facility did not post nor provide recreation schedules to detainees (**Deficiency R-9**⁷⁴).

VISITATION (V)

ODO reviewed the APPSC site-specific detainee handbook and found the handbook did not include visitation hours (**Deficiency V-8**⁷⁵).

ODO reviewed the APPSC legal visitation log and found the log did not contain all required information fields. Specifically, the log did not contain fields for a visitor’s address, supervising attorney’s name, Form G-28 on-file status, nor the time each visit began (**Deficiency V-99**⁷⁶).

Correspondence and Other Mail, Section (V)(C).

⁷⁰ “Incoming priority, overnight, certified mail and deliveries from a private package delivery service, etc., shall be recorded with detainee signatures in a logbook maintained by the facility.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(D).

⁷¹ “Special correspondence” or “legal mail” shall be defined as the term for detainees’ written communications to or from the Department of Homeland Security.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(F)(2)(h).

⁷² “Special correspondence” or “legal mail” shall be defined as the term for detainees’ written communications to or from outside health care professionals.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(F)(2)(i).

⁷³ “Special correspondence” or “legal mail” shall be defined as the term for detainees’ written communications to or from representatives of the news media.” See ICE PBNDS 2011 (Revised 2016), Standard, Correspondence and Other Mail, Section (V)(F)(2)(k).

⁷⁴ “Recreation schedules shall be provided to the detainees or posted in the facility.” See ICE PBNDS 2011 (Revised 2016), Standard, Recreation, Section (V)(B).

⁷⁵ “Each facility shall provide written notification of visitation rules and hours in the detainee handbook or local supplement given each detainee upon admission and post those rules and hours where detainees can easily see them. Such information shall be posted in each housing unit.” See ICE PBNDS 2011 (Revised 2016), Standard, Visitation, Section (V)(C)(1).

⁷⁶ “Legal visitation log entries shall include the following information: ...

- d. Visitor’s address;
- e. Supervising attorney’s name (if applicable);
- g. Whether the detainee currently has a G-28 on file;
- h. Time visit began”

See ICE PBNDS 2011 (Revised 2016), Standard, Visitation, Section (V)(J)(14)(d)(e)(g) and (h).

ODO reviewed APPSC legal visitation policy and found the policy did not address telephone inquiries, legal assistants working under the supervision of an attorney, Form G-28 requirements, nor detainee sign-up (**Deficiency V-102**⁷⁷).

ODO reviewed APPSC visitation policy regarding animals and found the policy did not specify under what circumstances animals may accompany human visitors onto nor into facility property (**Deficiency V-141**⁷⁸).

JUSTICE

DETAINEE HANDBOOK (DH)

ODO reviewed the APPSC site-specific detainee handbook and found the handbook did not include detainee visitation hours (**Deficiency DH-14**⁷⁹).

ODO reviewed the APPSC site-specific detainee handbook and found the handbook did not notify detainees of the content nor procedures of the facility rules for legal rights group presentations nor the availability of legal orientation programs (**Deficiency DH-16**⁸⁰).

CONCLUSION

During this inspection, ODO assessed the facility's compliance with 23 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 11 of those standards. ODO found 75 deficiencies in the remaining 12 standards. This inspection was the first time ODO inspected the Transportation (by Land) standard at APPSC, which accounted for almost half of the deficiencies ODO identified. Additionally, ODO notes that many of APPSC's deficiencies resulted from APPSC not having written policy or procedures, or specific notices in their site-specific detainee handbook. ODO recommends ERO New Orleans work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations. ODO has not received the uniform corrective action plan for ODO's last inspection of APPSC in May

⁷⁷ "The site-specific policy shall specify visitation hours, procedures and standards and address, at a minimum, the following:

- a. telephone inquiries; ...
- c. legal assistants working under the supervision of an attorney; ...
- e. Form G-28 requirements; ...
- j. detainee sign-up."

See ICE PBNDS 2011 (Revised 2016), Standard, Visitation, Section (V)(J)(15)(a)(c)(e) and (j).

⁷⁸ "Each facility shall establish and disseminate a policy and implementing procedures governing whether and, if so, under what circumstances animals may accompany human visitors onto or into facility property." *See* ICE PBNDS 2011 (Revised 2016), Standard, Visitation, Section (V)(N)(5).

⁷⁹ "While all applicable topics from the handbook must be addressed, it is especially important that each local supplement notify each detainee of the facility's visitation rules and hours." *See* ICE PBNDS 2011 (Revised 2016), Standard, Detainee Handbook, Section (V)(B)(9).

⁸⁰ "While all applicable topics from the handbook must be addressed, it is especially important that each local supplement notify each detainee of content and procedures of the facility's rules on legal rights group presentations, and the availability of legal orientation programs." *See* ICE PBNDS 2011 (Revised 2016), Standard, Detainee Handbook, Section (V)(B)(11).

2022.

Compliance Inspection Results Compared	FY 2022 (PBNS 2011) (Revised 2016)	FY 2023 (PBNS 2011) (Revised 2016)
Standards Reviewed	18	23
Deficient Standards	9	12
Overall Number of Deficiencies	40	74
Priority Component Deficiencies	N/A	0
Repeat Deficiencies	0	4
Areas Of Concern	1	0
Corrective Actions	0	1