



**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

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Office of Detention Oversight  
Compliance Inspection

Enforcement and Removal Operations  
ERO El Paso Field Office

Cibola County Correctional Center  
Milan, New Mexico

December 14-17, 2020

**COMPLIANCE INSPECTION**  
**of the**  
**CIBOLA COUNTY CORRECTIONAL CENTER**  
Milan, New Mexico

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## COMPLIANCE INSPECTION TEAM MEMBERS

[REDACTED]	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 Cibola County Correctional Center (CCCC) in Milan, New Mexico, from December 14-17, 2020.<sup>1</sup> The facility opened in 1994 and is owned and operated by CoreCivic. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at CCCC in 2016 under the oversight of ERO's Field Office Director in El Paso (ERO El Paso). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has assigned a supervisory detention deportation officer and deportation officers to the facility. A warden handles daily facility operations and is supported by [REDACTED] personnel. CoreCivic provides medical and food services and Keefe Supply Company provides commissary services to CCCC. The facility was accredited by the American Correctional Association in 2019 and was certified by the Department of Homeland Security Prison Rape Elimination Act 2019.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity <sup>2</sup>	500
Average ICE Detainee Population <sup>3</sup>	[REDACTED]
Male Detainee Population (as of 12/14/2020)	[REDACTED]
Female Detainee Population (as of 12/14/2020)	0

During its last inspection, in fiscal year 2020, ODO found eight deficiencies in the following standards: Admission and Release (1); Custody Classification System (2); Funds and Personal Property (1); Special Management Units (2); and Medical Care (2).

<sup>1</sup> This facility holds male detainees with low, medium low, medium high, and high classification levels for periods longer than 72 hours.

<sup>2</sup> Data Source: ERO Facility List Report as of November 9, 2020.

<sup>3</sup> *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.<sup>4</sup>

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. Therefore, 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.

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<sup>4</sup> ODO reviews the facility’s compliance with selected standards in their entirety.

## FINDINGS BY NATIONAL DETENTION STANDARDS 2011 (REVISED 2016) MAJOR CATEGORIES

PBNDS 2011 (Revised 2016) Standards Inspected <sup>5</sup>	Deficiencies
<b>Part 1 – Safety</b>	
Emergency Plans	0
Environmental Health and Safety	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 2 – Security</b>	
Admission and Release	0
Custody Classification System	0
Facility Security and Control	0
Funds and Personal Property	0
Population Counts	0
Department of Homeland Security Prison Rape Elimination Act Certified Facilities	0
Special Management Units	0
Staff-Detainee Communication	0
Use of Force and Restraints	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 4 – Care</b>	
Food Service	0
Hunger Strikes	0
Medical Care	0
Significant Self-Harm and Suicide Prevention and Intervention	0
Disability Identification, Assessment, and Accommodation	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 5 – Activities</b>	
Religious Practices	0
Telephone Access	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 6 – Justice</b>	
Grievance System	0
Law Libraries and Legal Material	2
<b>Sub-Total</b>	<b>0</b>
<b>Total Deficiencies</b>	<b>2</b>

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



## DETAINEE RELATIONS

The facility's ICE detainee population count was zero during the entire inspection. As such, ODO did not interview any detainees during this inspection. Although the facility's population count was zero, the facility has an active contract to house detainees, and their ADP was ■ on September 28, 2020 which met ODO's inspection criteria of an average daily population of 10 or more detainees housed for a period of over 72 hours.

## COMPLIANCE INSPECTION FINDINGS

### JUSTICE

#### LAW LIBRARIES AND LEGAL MATERIAL (LLLM)

ODO reviewed CCCC's policy and the law library officer stated the law library is not inspected daily (**Deficiency LLLM-16<sup>6</sup>**).

ODO reviewed CCCC's facility handbook and found the handbook does not list the scheduled hours of access to the law library (**Deficiency LLLM-71<sup>7</sup>**).

## CONCLUSION

During this inspection, ODO assessed the facility's compliance with 20 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 19 of those standards. ODO found two deficiencies in one standard. ODO commends facility staff for their responsiveness during this inspection. ODO recommends ERO El Paso work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations.

Compliance Inspection Results Compared	FY 2020 PBNDS 2011 (Revised 2016)	FY 2021 PBNDS 2011 (Revised 2016)
Standards Reviewed	18	20
Deficient Standards	5	1
Overall Number of Deficiencies	8	2
Repeat Deficiencies	2	0
Corrective Actions	0	0
Areas of Concern	0	0

<sup>6</sup> "Each facility administrator shall designate an employee to inspect equipment daily, at a minimum, to ensure it is in good working order, and to stock sufficient supplies." See ICE PBNDS 2011, Standard Law Libraries and Legal Material, Section (V)(D).

<sup>7</sup> "The detainee handbook or supplement shall provide detainees the rules and procedures governing access to legal materials, including the following information:

2. The scheduled hours of access to the law library." See ICE PBNDS 2011, Standard Law Libraries and Legal Material, Section (V)(N)(2).