



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

**Office of Detention Oversight
Unannounced Follow-Up Compliance
Inspection
2024-005-357**

**Enforcement and Removal Operations
ERO Philadelphia Field Office**

**Clinton County Correctional Facility
McElhatten, Pennsylvania**

July 16-18, 2024

**UNANNOUNCED FOLLOW-UP COMPLIANCE INSPECTION
of the
CLINTON COUNTY CORRECTIONAL FACILITY
McElhatten, Pennsylvania**

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UNANNOUNCED FOLLOW-UP 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 an unannounced follow-up compliance inspection of the Clinton County Correctional Facility (CCCF) in McElhatten, Pennsylvania, from July 16 to 18, 2024.¹ This inspection focused on the standards found deficient during ODO's last inspection of CCCF from January 23 to 25, 2024. The facility opened in 1990 and is owned by Clinton County and operated by the Clinton County Prison Board. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at CCCF in 2003 under the oversight of ERO's Field Office Director in Philadelphia (ERO Philadelphia). ICE is an authorized user of this facility under a United States Marshals Service Intergovernmental Agreement contract, which does not specify an ICE National Detention Standard (NDS), and ODO inspected to the NDS listed on the ERO Custody Management Division Authorized Facility List as of July 15, 2024. CCCF was inspected against the NDS 2019, and ODO's assigned rating is for ERO's informational purposes only.²

A warden handles daily facility operations and manages support personnel. Aramark provides food services, PrimeCare Medical provides medical care, and Oasis Management Systems provides commissary services at the facility. The facility does not hold any accreditations from any outside entities. In April 2024, CCCF was audited for the Department of Justice (DOJ) Prison Rape Elimination Act (PREA) and was DOJ PREA certified.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ³	█
Average ICE Population ⁴	█
Adult Male Population (as of July 16, 2024)	█
Adult Female Population (as of July 16, 2024)	█

During its last rated inspection, in Fiscal Year (FY) 2024, ODO found 11 deficiencies in the following areas: Custody Classification System (1); Medical Care (3); Post Orders (5); Searches of Detainees (1); and Sexual Abuse and Assault Prevention and Intervention (1).

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

² For ODO inspections in FY 2024, ERO Custody Management Division requested ODO inspect all United States Marshals Service Intergovernmental Agreement facilities, not contractually obligated to an ICE NDS, to NDS 2019.

³ Data Source: ERO Custody Management Division Authorized Facility List as of July 15, 2024.

⁴ *Ibid.*

⁵ The ERO Custody Management Division Authorized Facility List indicates the facility houses only male detainees; however, ODO confirmed the facility also holds female detainees.

UNANNOUNCED FOLLOW-UP COMPLIANCE INSPECTION PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population (ADP) of 10 or more detainees, and where detainees are housed for longer than 72 hours, to assess compliance with ICE National Detention Standards. While these inspections focus on facility compliance with detention standards that directly affect detainee life, health, safety, and/or well-being, in FY 2024 ODO added additional standards to the scope of each full inspection to ensure ODO inspects every standard at each facility at least once every other year. In FY 2021, to meet congressional requirements, ODO began conducting follow-up inspections at all over 72-hour ICE detention facilities with an ADP of 10 or more detainees that ODO conducted a full inspection of earlier in the FY. In FY 2022, ODO began conducting special reviews of under 72-hour ICE detention facilities with an ADP of 1 or more detainees and over 72-hour ICE detention facilities with an ADP of 1 to 9 detainees. Additionally, ODO began conducting unannounced inspections of ICE detention facilities, regardless of ADP of detainees, as well as reviews of ICE special/emerging detention facilities/programs.⁶

While follow-up inspections are intended to focus on previously identified deficiencies, ODO will conduct a complete review of several core standards, which may include but are not limited to Medical Care, Hunger Strikes, Suicide Prevention, Food Service, Environmental Health and Safety, Emergency Plans, Use of Force and Restraints/Use of Physical Control Measures and Restraints, Admission and Release, Classification, and Funds and Personal Property. ODO may decide to conduct a second full inspection of a facility in the same FY based on additional information obtained prior to ODO's arrival on-site. Factors ODO will consider when deciding to conduct a second full inspection will include the total number of deficiencies cited during the first inspection, the number of deficient standards found during the first inspection, the completion status of the first inspection's uniform corrective action plan (UCAP), and other information ODO obtains from internal and external sources ahead of the follow-up compliance inspection. Conditions found during the inspection may also lead ODO to assess new areas and identify new deficiencies or areas of concern should facility practices run contrary to ICE standards. Any areas found non-compliant during both inspections are annotated as "Repeat Deficiencies" in this report.

In FY 2022, ODO began conducting unannounced inspections of ICE detention facilities, ensuring each facility subject to biannual inspections receives an unannounced inspection at least once every 3 years. Upon completion of each special review or unannounced 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 UCAPs; 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.

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

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{7,8,9}	Deficiencies
Part 1 - Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 - Security	
Admission and Release	0
Custody Classification System	0
Facility Security and Control	0
Funds and Personal Property	0
Post Orders	0
Searches of Detainees	0
Use of Force and Restraints	0
Special Management Units	1
Staff-Detainee Communication	0
Sexual Abuse and Assault Prevention and Intervention	0
Sub-Total	1
Part 4 - Care	
Food Service	2
Hunger Strikes	0
Medical Care	0
Significant Self-Harm and Suicide Prevention and Intervention	0
Sub-Total	2
Part 6 - Justice	
Grievance System	0
Sub-Total	0
Total Deficiencies	3

⁷ For greater detail on ODO's findings, see the *Unannounced Follow-Up Compliance Inspection Findings* section of this report.

⁸ Beginning in FY 2024, ODO instituted a process of rotating all standards every other year. As a result, some standards may not be present in all inspections.

⁹ During an unannounced inspection, ODO will review a facility's compliance with at least 10 individual standards; however, unannounced full inspections will include a review of the same standards as announced full inspections.

DETAINEE RELATIONS

ODO interviewed 25 detainees, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. All 25 detainees reported satisfaction with facility services.

UNANNOUNCED FOLLOW-UP COMPLIANCE INSPECTION FINDINGS

SECURITY

SPECIAL MANAGEMENT UNITS (SMU)

ODO reviewed six administrative segregation (AS) orders and found, in six out of six AS orders, the facility's releasing officer did not document the date and time of release on the orders (**Deficiency SMU-19¹⁰**).

Corrective Action: On July 17, 2024, the facility initiated corrective action and updated the facility's AS order form by adding a release date and time section. On the same day, the facility's deputy warden emailed facility staff, instructing them on how to document a detainee's release from SMU on the AS order (**C-1**).

CARE

FOOD SERVICE (FS)

ODO toured the FS area and found the facility did not maintain a ready supply of hot water at 105-120 degrees Fahrenheit (F). Specifically, ODO tested two kitchen hand wash sinks and found both temperatures registered at 165 degrees F (**Deficiency FS-92¹¹**).

ODO toured the FS area and found Scout Liquid Detergent unsecured beneath the dish machine and Prime Zyme unsecured in the pot and pan area (**Deficiency FS-107¹²**).

¹⁰ "When the detainee is released from administrative segregation, the releasing officer shall indicate the date and time of release on the administrative segregation order. The completed order shall then be included in the detainee's detention file or maintained in a retrievable electronic format." See ICE NDS 2019, Standard, Special Management Unit, Section (II)(A)(2)(c).

¹¹ "All facilities shall meet the following environmental standards:

i. A ready supply of hot water (105-120 degrees F).

See ICE NDS 2019, Standard, Food Service, Section (II)(I)(5)(f-j).

¹² "All toxic, flammable, and caustic materials shall be segregated from food products and stored in a locked and labeled cabinet or room." See ICE NDS 2019, Standard, Food Service, Section (II)(I)(9)(d).

CONCLUSION

During this inspection, ODO assessed the facility's compliance with 16 standards under NDS 2019 and found the facility in compliance with 14 of those standards. ODO found three deficiencies in the remaining two standards. Since CCCF's last full inspection in January 2024, the facility has trended upward. CCCF went from 5 deficient standards and 11 deficiencies in January 2024 to 2 deficient standards and 3 deficiencies during this most recent inspection. CCCF completed its UCAP for its last inspection in January 2024, which likely resolved the previous deficiencies ODO cited. ODO recommends ERO Philadelphia continue to work with the facility to resolve the remaining deficiencies in accordance with contractual obligations.

Compliance Inspection Results Compared	FY 2024 Full Inspection (NDS 2019)	FY 2024 Follow-Up Inspection (NDS 2019)
Standards Reviewed	24	16
Deficient Standards	5	2
Overall Number of Deficiencies	11	3
Priority Component Deficiencies	2	0
Repeat Deficiencies	0	0
Areas Of Concern	0	0
Corrective Actions	0	1
Facility Rating	Acceptable/Adequate	N/A