



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
Follow-Up Compliance Inspection
2023-002-173**

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

**Denver Contract Detention Facility
Aurora, Colorado**

August 22-24, 2023

FOLLOW-UP COMPLIANCE INSPECTION
of the
DENVER CONTRACT DETENTION FACILITY
Aurora, Colorado

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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 a follow-up compliance inspection of the Denver Contract Detention Facility (DCDF) in Aurora, Colorado, from August 22 to 24, 2023.¹ This inspection focused on the standards found deficient during ODO’s last inspection of DCDF from March 14 to 16, 2023. The facility opened in 1987 and is owned and operated by The GEO Group, Inc. (GEO). The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at DCDF in 1987 under the oversight of ERO’s Field Office Director in Denver (ERO Denver). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

[REDACTED] A facility administrator handles daily operations and manages [REDACTED] support personnel. GEO provides food and medical care services, and Keefe Commissary provides commissary services at the facility. The facility was accredited by the National Commission on Correctional Health Care in October 2019 and American Correctional Association in January 2021. In August 2021, DCDF 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	[REDACTED]
Average ICE Population ³	[REDACTED]
Adult Male Population (as of August 22, 2023)	[REDACTED]
Adult Female Population (as of August 22, 2023)	[REDACTED]

During its last full inspection, in Fiscal Year (FY) 2023, ODO found 30 deficiencies in the following areas: Admission and Release (4); Correspondence and Other Mail (1); Custody Classification System (5); Environmental Health and Safety (1); Funds and Personal Property (2); Key and Lock Control (2); Medical Care (9); Medical Care (Women) (2); Significant Self-harm and Suicide Prevention and Intervention (2); and Transportation (by Land) (2).

¹ This facility holds 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 August 21, 2023.

³ *Ibid.*

FOLLOW-UP COMPLIANCE INSPECTION PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population of 10 or more detainees, 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. In FY 2021, to meet congressional requirements, ODO began conducting follow-up inspections at all ICE ERO detention facilities, which ODO inspected earlier in the FY.⁴

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.

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**

PBNS 2011 (Revised 2016) Standards Inspected^{5,6}	Deficiencies
Part 1 - Safety	
Emergency Plans	0
Environmental Health and Safety	0
Transportation (by Land)	1
Sub-Total	1
Part 2 - Security	
Admission and Release	0
Custody Classification System	0
Facility Security and Control	0
Funds and Personal Property	4
Key and Lock Control	0
Special Management Units	0
Staff-Detainee Communication	0
Use of Force and Restraints	0
Sub-Total	4
Part 4 - Care	
Food Service	0
Medical Care	0
Medical Care (Women)	0
Significant Self-harm and Suicide Prevention and Intervention	0
Terminal Illness, Advance Directives and Death	0
Sub-Total	0
Part 5 - Activities	
Correspondence and Other Mail	0
Telephone Access	0
Sub-Total	0
Part 6 - Justice	
Grievance System	0
Sub-Total	0
Total Deficiencies	5

⁵ For greater detail on ODO's findings, see the *Follow-up 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.

DETAINEE RELATIONS

ODO interviewed 40 detainees, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. All 40 detainees reported satisfaction with facility services.

FOLLOW-UP COMPLIANCE INSPECTION FINDINGS

SAFETY

TRANSPORTATION (BY LAND) (TBL)

ODO observed three facility buses and found the forward baggage compartment of each bus did not contain transmission fluid, water for the radiator, nor oil as identified on the inventory sheet (**Deficiency TBL-169**⁷).

SECURITY

FUNDS AND PERSONAL PROPERTY (FPP)

ODO toured the detainee housing units and found in housing units B-1, B-4, ASC-1, and ASC B-1, no lockers nor other securable space for storing all detainees' authorized property (**Deficiency FPP-40**⁸).

ODO observed the detainee property rooms and 29 property containers (e.g., luggage, backpacks duffel bags) and found in 29 out of 29 property containers, the facility did not secure the detainees' property in a tamper-resistant manner (**Deficiency FPP-84**⁹). **This is a repeat deficiency.**

ODO observed 29 property containers and found in 29 out of 29 property containers, the facility did not secure the detainees' property in a tamper-resistant manner (**Deficiency FPP-97**¹⁰). **This is a repeat deficiency.**

⁷ "In SPCs and CDFs, the Field Office will provide the following equipment as appropriate for each vehicle: ...

3. in the forward baggage compartment, of buses, two equipment boxes containing: ...

b. (in box #2:) transmission fluid, water for radiator, oil, toilet disinfectant, extra fire extinguisher(s), road flares, and reflectors (transporting officers record amount and date used and by whom on inventory sheets kept in box #2, likewise maintaining MSDS sheets as necessary.)"

See ICE PBNDS 2011 (Revised 2016), Standard, Transportation (by Land), Section (V)(Q)(3)(b).

⁸ "Every housing area shall have lockers or other securable space for storing detainees' authorized personal property." See ICE PBNDS 2011 (Revised 2016), Standard, Funds and Personal Property, Section (V)(E).

⁹ "All detainee luggage and facility containers used for storing detainee personal property shall be secured in a tamper-resistant manner and shall only be opened in the presence of the detainee." See ICE PBNDS 2011 (Revised 2016), Standard, Funds and Personal Property, Section (V)(I).

¹⁰ "All detainee luggage and facility containers used for storing detainee personal property shall be secured in a tamper-resistant manner (e.g., by a tamperproof numbered tie strap) and shall only be opened in the presence of the detainee." See ICE PBNDS 2011 (Revised 2016), Standard, Funds and Personal Property, Section (V)(I).

ODO reviewed the valuable property logs from July 5 to August 5, 2023, and found facility supervisors did not simultaneously conduct an audit of detainee valuable property envelopes for all shifts on July 5, 2023; the evening shift on July 8, 2023; nor the day shift on July 14, 2023 (**Deficiency FPP-100¹¹**).

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 five deficiencies in the remaining two standards. Since DCDF’s last full inspection in March 2023, the facility has shown significant improvement, reducing their deficiencies by 83 percent. DCDF went from 10 deficient standards and 30 deficiencies in March 2023 to 2 deficient standards and 5 deficiencies during this most recent inspection, which includes 2 repeat deficiencies for not securing detainee property in a tamper resistant manner. ODO received a completed UCAP for ODO’s last full inspection in March 2023, which likely contributed to the facility’s improved performance. ODO recommends ERO Denver continue to work with the facility to resolve the remaining deficiencies in accordance with contractual obligations.

Compliance Inspection Results Compared	FY 2023 Full Inspection (PBNDS 2011) (Revised 2016)	FY 2023 Follow-Up Inspection (PBNDS 2011) (Revised 2016)
Standards Reviewed	25	19
Deficient Standards	10	2
Overall Number of Deficiencies	30	5
Priority Component Deficiencies	0	0
Repeat Deficiencies	4	2
Areas Of Concern	0	0
Corrective Actions	0	0
Facility Rating	Acceptable/Adequate	N/A

¹¹ “Both on-coming and off-going supervisors shall simultaneously conduct an audit of detainee funds, property envelopes and large valuables where physical custody of, or access to such items changes with facility shift changes.” See ICE PBNDS 2011 (Revised 2016), Standard, Funds and Personal Property, Section (V)(J).