



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
2023-002-134**

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

**Elizabeth Contract Detention Facility
Elizabeth, New Jersey**

May 9-11, 2023

FOLLOW-UP COMPLIANCE INSPECTION
of the
ELIZABETH CONTRACT DETENTION FACILITY
Elizabeth, New Jersey

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FOLLOW-UP COMPLIANCE INSPECTION TEAM MEMBERS



Team Lead	ODO
Assistant Team Lead	ODO
Inspections and Compliance Specialist	ODO
Contractor	Creative Corrections
Contractor	Creative Corrections
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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 follow-up compliance inspection of the Elizabeth Contract Detention Facility (ECDF) in Elizabeth, New Jersey, from May 9 to 11, 2023.¹ This inspection focused on the standards found deficient during ODO’s last inspection of ECDF from November 1 to 3, 2022. The facility opened in 1996 and is owned by Port View Property and operated by CoreCivic. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at ECDF in 1996 under the oversight of ERO’s Field Office Director in Newark (ERO Newark). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has deportation officers and a detention service manager assigned full time to the facility and they are on-site daily, Monday through Friday, from 8 a.m. to 4 p.m. An ECDF warden handles daily facility operations and manages [REDACTED] support personnel. CoreCivic provides food services, ICE Health Service Corps provides medical care, and Keefe Commissary provides commissary services at the facility. The facility was accredited by the American Correctional Association in June 2019 and the National Commission on Correctional Health Care in February 2020. In October 2021, ECDF was audited by 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 May 9, 2023)	[REDACTED]
Adult Female Population (as of May 9, 2023)	[REDACTED]

During its last inspection, in Fiscal Year (FY) 2023, ODO found two deficiencies in the following areas: Environmental Health and Safety (1) and Food Service (1).

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 April 10, 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.

While follow-up inspections are intended to focus on previously identified deficiencies, ODO will conduct a complete review of several core standards, which include but are not limited to Medical Care, 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.

**FINDINGS BY PERFORMANCE-BASED NATIONAL
DETENTION STANDARDS 2011 (REVISED 2016)
MAJOR CATEGORIES**

PBND 2011 (Revised 2016) Standards Inspected^{4,5}	Deficiencies
Part 1 - Safety	
Emergency Plans	0
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
Special Management Units	0
Staff-Detainee Communication	0
Use of Force and Restraints	0
Sub-Total	0
Part 4 - Care	
Food Service	0
Medical Care	0
Medical Care (Women)	0
Personal Hygiene	0
Significant Self-harm and Suicide Prevention and Intervention	0
Terminal Illness, Advance Directives and Death	0
Sub-Total	0
Part 5 - Activities	
Recreation	0
Telephone Access	0
Sub-Total	0
Part 6 - Justice	
Grievance System	0
Sub-Total	0
Total Deficiencies	0

⁴ For greater detail on ODO's findings, see the *Follow-up Inspection Findings* section of this report.

⁵ 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 30 detainees, 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.

Medical Care: One detainee stated she requested the removal of her birth control device and the facility had not scheduled an outside doctor's appointment to complete the procedure.

- Action Taken: ODO interviewed the assistant health service administrator (AHSA), reviewed the detainee's medical record, and found the detainee arrived at ECDF on March 7, 2023. During the initial health assessment, the detainee mentioned no medical concerns. On March 12, 2023, the detainee reported to medical for a physical examination (PE) and informed the nurse practitioner (NP) her intradermal contraceptive device expired in December 2022 and requested its removal. On March 17, 2023, the NP examined the detainee and noted no adverse effects of the device to the detainee. The NP referred the detainee to a gynecologist at a local hospital, and facility medical staff scheduled her approved appointment for June 13, 2023. On May 11, 2023, ODO advised the detainee of the confirmed appointment but did not disclose the scheduled date. The detainee acknowledged understanding.

Medical Care: One detainee stated she submitted a dental request, but the facility did not follow up for with her for an appointment.

- Action Taken: ODO interviewed the AHSA, reviewed the detainee's medical record, and found the detainee arrived at ECDF on August 11, 2022. During the initial health assessment, the detainee mentioned no dental concerns. On August 12, 2023, the detainee reported to medical for a PE and did not mention any dental problems. On October 14, 2022, the detainee submitted a sick call request for bleeding gums after brushing her teeth. During the examination, the detainee denied any active bleeding and made no further dental complaints. The NP stated the detainee's annual health assessment automatically schedules a dental screening, based on the date of intake. Staff scheduled the detainee for an appointment with a local dental facility on July 8, 2023. On May 9, 2023, the NP completed an acute care follow-up appointment with the detainee, educated her on dental hygiene, and informed her of her upcoming scheduled appointment in the immediate future. The detainee stated she currently has no dental concerns. On May 11, 2023, ODO reminded the detainee of her scheduled appointment, and the detainee acknowledged understanding.

FOLLOW-UP COMPLIANCE INSPECTION FINDINGS

ODO found no deficiencies during this inspection.

CONCLUSION

During this inspection, ODO assessed the facility’s compliance with 18 standards under PBNDS 2011 (Revised 2016) and found the facility in compliance with 18 of those standards. Since ECDF’s last full inspection in November 2022, the facility has maintained a high-level of compliance with the PBNDS 2011 (Revised 2016). ECDF went from two deficient standards and two deficiencies in November 2022 to no deficient standards and no deficiencies during this most recent inspection. The facility’s improved performance likely resulted from completing the uniform corrective action plan for ODO’s last inspection of ECDF in November 2022. ODO commends facility staff members for their responsiveness during this inspection.

Compliance Inspection Results Compared	FY 2023 Full Inspection (PBNDS 2011) (Revised 2016)	FY 2023 Follow-up Inspection (PBNDS 2011) (Revised 2016)
Standards Reviewed	25	18
Deficient Standards	2	0
Overall Number of Deficiencies	2	0
Priority Component Deficiencies	0	0
Repeat Deficiencies	0	0
Areas Of Concern	0	0
Corrective Actions	0	0
Facility Rating	Superior	N/A