



**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 Newark Field Office

Elizabeth Contract Detention Facility  
Elizabeth, New Jersey

November 1-5, 2021

**COMPLIANCE INSPECTION**  
**of the**  
**ELIZABETH CONTRACT DETENTION FACILITY**  
Elizabeth, New Jersey

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## COMPLIANCE INSPECTION TEAM MEMBERS

[REDACTED]	Team Lead	ODO
[REDACTED]	Inspections and Compliance Specialist	ODO
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[REDACTED]	Contractor	Creative Corrections
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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 Elizabeth Contract Detention Facility (ECDF) in Elizabeth, New Jersey, from November 1 to 5, 2021.<sup>1</sup> The facility opened in 2006 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 assigned a supervisory detention and deportation officer, deportation officers, and a detention services manager to the facility. An ECDF warden handles daily facility operations and manages █████ 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. In January 2021, ECDF 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 Detainee Bed Capacity <sup>2</sup>	████
Average ICE Detainee Population <sup>3</sup>	████
Male Detainee Population (as of November 1, 2021)	████
Female Detainee Population (as of November 1, 2021)	████

During its last inspection, in Fiscal Year (FY) 2021, ODO found ECDF in compliance with all 13 standards inspected under PBNDS 2011 (Revised 2016).

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

<sup>2</sup> Data Source: ERO Facility List Report as of September 27, 2021.

<sup>3</sup> *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 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. 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 its 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 PERFORMANCE-BASED NATIONAL DETENTION STANDARDS (PBNDS) 2011 (REVISED 2016) MAJOR CATEGORIES

PBNDS 2011 (Revised 2016) Standards Inspected <sup>5,6</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
Funds and Personal Property	0
Post Orders	2
Searches of Detainees	0
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	0
Use of Force and Restraints	0
<b>Sub-Total</b>	<b>2</b>
<b>Part 4 – Care</b>	
Food Service	0
Hunger Strikes	0
Medical Care	0
Medical Care (Women)	0
Personal Hygiene	0
Significant Self-harm and Suicide Prevention and Intervention	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 5 – Activities</b>	
Correspondence and Other Mail	0
Trips for Non-Medical Emergencies	0
Marriage Requests	0
Voluntary Work Program	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 6 – Justice</b>	
Legal Rights Group Presentations	0

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

<sup>6</sup> 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 inspections.

<b>Sub-Total</b>	<b>0</b>
<b>Part 7 – Administration and Management</b>	
Detention Files	1
Interviews and Tours	0
Detainee Transfer	0
<b>Sub-Total</b>	<b>0</b>
<b>Total Deficiencies</b>	<b>3</b>

## **DETAINEE RELATIONS**

ODO interviewed 12 detainees, who each voluntarily agreed to participate. None of the detainees made allegations of discrimination, mistreatment, or abuse. All detainees interviewed reported satisfaction with facility services. ODO conducted the detainee interviews via video teleconference.

## **COMPLIANCE INSPECTION FINDINGS**

### **SECURITY**

#### **POST ORDERS (PO)**

ODO reviewed ECDF's post orders and found the laundry, recreation, and front entrance post orders do not state the duty hours for each post (**Deficiency PO-10<sup>7</sup>**).

ODO reviewed ECDF's post order folder and found officers do not print their names on the post order folders nor is there a field available on the post order folders for officers to print their names (**Deficiency PO-19<sup>8</sup>**).

*Corrective Action:* Prior to the completion of the inspection, ODO verified ECDF briefed staff members on printing their names, backfilled the missing officers' names, and created a field on the post order folders for officers to print their names (**C-1**).

### **ADMINISTRATION AND MANAGEMENT**

#### **DETENTION FILES (DF)**

ODO reviewed ECDF's logbook and found officers do not consistently record the detainee's name in the logbook when removing a detainee file. Specifically, ECDF only records the detainee's

<sup>7</sup> "The chief security officer shall supervise the preparation of all post orders, which shall: ...

2. specifically state the duty hours for each post." See ICE PBNDS 2011 (Revised 2016), Standard, Post Orders, Section (V)(C)(2).

<sup>8</sup> "The post orders for each post shall be issued in a six-part classification folder and shall be organized as follows: Section 6: Review and signature form, dated and with the officer's name printed and signed." See ICE PBNDS 2011 (Revised 2016), Standard, Post Orders, Section (V)(D).

noncitizen number in the logbook (**Deficiency DF-29<sup>9</sup>**).

*Corrective Action:* Prior to the completion of the inspection, ECDF briefed staff on recording the detainee’s name in the logbook and backfilled the missing detainee names in the logbook, and the quality assurance manager implemented a monitoring system for the logbook. ODO verified ECDF backfilled all missing names and ECDF’s monitoring system to ensure completion of all fields in the logbook (**C-2**).

## CONCLUSION

During this inspection, ODO assessed the facility’s compliance with 24 standards under PBNS 2011 (Revised 2016) and found the facility in compliance with 22 of those standards. ODO found three deficiencies in the remaining two standards. ODO commends ECDF for their responsiveness during this inspection. ODO recommends ERO Newark work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations. ECDF did not require a uniform corrective action plan for ODO’s last inspection of ECDF, which occurred in May 2021.

<b>Compliance Inspection Results Compared</b>	<b>Second FY 2021 PBNS 2011 (Revised 2016)</b>	<b>First FY 2022 PBNS 2011 (Revised 2016)</b>
Standards Reviewed	13	24
Deficient Standards	0	2
Overall Number of Deficiencies	0	3
Repeat Deficiencies	0	0
Areas of Concern	0	0
Corrective Actions	0	2
Facility Rating	N/A	Superior

<sup>9</sup> “At a minimum, does the logbook entry recording the file’s removal from the cabinet include the following information:

- a. the detainee’s name and A-file number.” See ICE PBNS 2011 (Revised 2016), Standard, Detention Files, Section (V)(F)(3)(a).