



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

Office of Detention Oversight
Compliance Inspection

Enforcement and Removal Operations
ERO Houston Field Office

Houston Contract Detention Facility
Houston, TX

January 28-30, 2020

COMPLIANCE INSPECTION
of the
Houston Contract Detention Facility
Houston, TX

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FACILITY OVERVIEW

The Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) Office of Detention Oversight (ODO) conducted a compliance inspection of the Houston Contract Detention Facility (HCDF) in Houston, Texas from January 28-30, 2020.¹ The facility opened in 1984 and is owned and operated by CoreCivic. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at HCDF in 1984 under the oversight of ERO's Field Office Director in Houston (ERO Houston). The facility operates under the Performance-Based National Detention Standards (PBNDS) 2011 (Revised 2016).

ERO has assigned Deportation Officers (DOs) and a Detention Services Manager to the facility. An HCDF Warden handles daily facility operations and is supported by ██████ personnel. Trinity Food Service provides food services, Immigration Health Service Corp provides medical care, and CoreCivic provides commissary services at the facility. The facility was accredited by the American Correctional Association on August 3, 2019, the National Commission on Correctional Health Care on April 24, 2018, and certified by the Prison Rape Elimination Act on November 16, 2017.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	1000
Average ICE Detainee Population ³	865
Male Detainee Population (as of 1/24/2020)	739
Female Detainee Population (as of 1/24/2020)	98

During its last inspection, in FY 2017, ODO found 3 deficiencies in the following areas: Custody Classification System (1); Environmental Health and Safety (1); and Funds and Personal Property (1).

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

² Data Source: ERO Facility List Report as of December 16, 2019.

³ *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.⁴

ODO identifies violations of ICE detention standards, ICE policies, or operational procedures as “deficiencies.” For facilities governed by either the PBNDS 2008 or 2011, ODO specifically notes deficiencies related to ICE-designated “priority components,” which are considered critical to facility security and the legal and civil rights of detainees. 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 their decision-making to better allocate resources across the agency’s entire detention inventory.

⁴ ODO reviews the facility’s compliance with selected standards in their entirety.

FINDINGS BY PERFORMANCE-BASED NATIONAL DETENTION STANDARDS 2011 MAJOR CATEGORIES

PBNDs 2011 Standards Inspected ⁵	Deficiencies
Part 1 – Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 – Security	
Admission and Release	2
Custody Classification System	0
Funds and Personal Property	2
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	0
Staff-Detainee Communication	1
Use of Force and Restraints	1
Sub-Total	6
Part 4 – Care	
Food Service	2
Medical Care	0
Significant Self-harm and Suicide Prevention and Intervention	0
Disability Identification, Assessment, and Accommodation	0
Sub-Total	2
Part 5 – Activities	
Recreation	3
Religious Practices	0
Telephone Access	1
Visitation	1
Sub-Total	5
Part 6 – Justice	
Grievance Systems	0
Law Libraries and Legal Materials	0
Sub-Total	0
Total Deficiencies	13

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

DETAINEE RELATIONS

ODO interviewed 24 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.

Special Management Units: A male detainee identifying himself as female, indicated she would prefer to be housed in general population rather than in the medical short stay unit. She specified, she felt uncomfortably isolated and did not have a working television in her room.

- Action Taken: ODO spoke to the facility management about the detainee's housing concerns. On January 29, 2020, the assistant warden reassigned and transferred the detainee to general population.

Food Service: One detainee said she is allergic to fish and is lactose intolerant. She expressed concern she was not receiving the correct diet and may get sick if she receives food items her body cannot properly process.

- Action Taken: When ODO reviewed the special diet list for the facility, the detainee was on the list as a recipient of a meat free alternative (for meals that include fish) and a fortified, vitamin juice drink instead of milk. ODO found the facility does recognize and accommodated the dietary needs of the detainee.

Law Libraries and Legal Material: One detainee stated he brought a thumb drive from a previous facility that contained his legal working documents but was being denied the use of the thumb drive by HCDF personnel. The detainee further stated HCDF staff threatened to take his thumb drive and place it in his personal property without providing an alternative means for saving his work.

- Action Taken: ODO reported the issue to the Law Library officer and Information Technology (IT) Specialist. The IT Specialist stated he met with HCDF leadership who approved the use of the thumb drive so the detainee could retrieve his legal documents.

Staff-Detainee Communication: One detainee stated the Spanish ICE Request submission software on the electronic tablets in his housing dorm did not work. Anyone who only spoke Spanish was unable to submit electronic ICE requests.

- Action Taken: ODO reported the problem to the on-site ICE/ERO Houston DO who was unaware of the issue. The DO contacted [REDACTED], the contracted technology provider for the HCDF tablets, and reported the issue. The DO stated [REDACTED] was generally very good about fixing errors or bugs effecting the tablets and expected the issue to be resolved within three to four business days.

COMPLIANCE INSPECTION FINDINGS

SECURITY

ADMISSION AND RELEASE (A&R)

ODO reviewed HCDF's orientation procedures and found the local ICE/ERO Field Office had not approved HCDF's orientation procedures (**Deficiency A&R-1**⁶).

ODO reviewed HCDF's release procedures and found the local ICE/ERO Field Office had not approved HCDF's release procedures (**Deficiency A&R-2**⁷).

FUNDS AND PERSONAL PROPERTY (F&PP)

ODO reviewed the procedures regarding the analogous inventory of checks and cash deposits by the HCDF intake supervisor and accounting staff. Both the intake supervisor and accounting staff signed the inventory log; however, shift supervisors do not remove the contents of the drop safe to account for cash during each shift (**Deficiency F&PP-1**⁸). Furthermore, ODO determined [REDACTED] shift supervisors did not [REDACTED] of detainee funds, property envelopes, and/or large valuables [REDACTED] (**Deficiency F&PP-2**⁹).

STAFF-DETAINEE COMMUNICATION (SDC)

ODO reviewed the facility's handbook and revealed obsolete procedures for detainees to submit written questions, requests or concerns to the local ICE/ERO Houston by using an Immigration Special Correspondence Form. The current practice is used for detainees to submit requests using a tablet; however, there are no directions for this procedure in the detainee handbook (**Deficiency SDC-1**¹⁰).

⁶ "All facilities shall have a method to provide ICE/ERO detainees an orientation to the facility as soon as practicable, in a language or manner that detainees can understand. Orientation procedures in CDF's and IGSA's must be approved in advance by the local ICE/ERO Field Office." See ICE PBNDS 2011, Standard, Admission and Release, Section (V)(F).

⁷ "Facility staff assigned to processing must complete certain procedures before any detainee's release, removal, or transfer from the facility. Necessary steps include but are not limited to: completing out-processing forms; closing files and fingerprinting; returning personal property; reclaiming facility issued clothing, identification cards, handbooks, and bedding; and checking wants and warrants. ICE/ERO shall approve all facility release procedures." See ICE PBNDS 2011, Standard, Admission and Release, Section (V)(H).

⁸ "During each shift, the supervisory security officer shall verify the accuracy of all G-583 Forms or equivalent, record all funds and items in the drop safe or similarly secured depository in the supervisors' property log, and verify the disposition of all large valuables in the designated secured locked area." See ICE PBNDS 2011, Standard, Funds and Personal Property, Section (V)(H).

⁹ "[REDACTED] shall [REDACTED] of detainee funds, property envelopes and large valuables where physical custody of, or access to such items changes with shift changes." See ICE PBNDS 2011, Standard, Funds and Personal Property, Section (V)(J).

¹⁰ "As required by the standard "6.1 Detainee Handbook," each facility's handbook (or supplement) shall advise detainees in a language or manner that they understand of the procedures to submit written questions, requests, or concerns to ICE/ERO staff, as well as the availability of assistance to prepare such requests." See ICE PBNDS 2011, Standard, Staff-Detainee Communication, Section (V)(B)(3).

USE OF FORCE AND RESTRAINTS (UOF&R)

ODO reviewed a calculated UOF incident and verified the medical staff completed a medical assessment of the detainee; however, the medical examination was not audio-visually recorded (**Deficiency UOF&R-1¹¹**).

CARE

FOOD SERVICE (FS)

ODO inspected the kitchen storage areas and found food stored under a condensing unit, in one cooler and in one freezer, which was creating a possible source of contamination (**Deficiency FS-1¹²**). Food under the condensing units was moved once staff was notified of this issue.

ODO observed eggs and milk stored with food having strong odors, such as onions (**Deficiency FS-2¹³**). The onions were moved to another location once staff was notified of this issue.

ACTIVITIES

RECREATION (R)

The facility offered detainees in general population outside recreation for one hour a day, seven days a week, rather than four hours each day (**Deficiency R-1¹⁴**).

HCDF did not provide detainees recreation schedules or post the schedules anywhere inside the facility (**Deficiency R-2¹⁵**).

The facility does not provide detainees FM wireless headsets for television viewing (**Deficiency R-3¹⁶**).

TELEPHONE ACCESS (TA)

ODO inspected all housing dorms and found telephone access hours were not posted by the

¹¹ “Take close-ups of the detainee’s body during a medical exam, focusing on the presence/absence of injuries. Staff injuries, if any, are to be described but not shown.” See ICE PBNDS 2011, Standard, Use of Force and Restraints, Section (V)(I)(2)(e).

¹² “Do not store food in locker rooms, toilet rooms, dressing rooms, garbage rooms or mechanical rooms, or under sewer lines, potentially leaking water lines, open stairwells or other sources of contamination.” See ICE PBNDS 2011, Standard, Food Service, Section (V)(K)(3)(h).

¹³ “Butter, milk, eggs and cream shall be separated from foods having strong odors. Eggs shall not be subjected to freezing temperatures.” See ICE PBNDS 2011, Standard, Food Service, Section (V)(K)(8).

¹⁴ “Detainees in the general population shall have access at least four hours a day, seven days a week to outdoor recreation, weather and scheduling permitted.” See ICE 2011 PBNDS, Standard, Recreation, Section (V)(B).

¹⁵ “Recreation schedules shall be provided to the detainees or posted in the facility.” See ICE 2011 PBNDS, Standard, Recreation, Section (V)(B).

¹⁶ “Detainees shall be provided FM wireless headsets for television viewing, with access to appropriate language stations or choices.” See ICE 2011 PBNDS, Standard, Recreation, Section (V)(D)(11).

telephones in any of the housing units (**Deficiency TA-1¹⁷**).

Corrective Action: On January 30, 2020, the facility initiated corrective action by posting the telephone access hours inside each housing unit near the telephones (**C-1**).

VISITATION (V)

ODO reviewed visitation documentation, records, and logs, and found HCDF maintained a log for legal visitation, but did not include, whether the detainee currently had a Notice of Entry of Appearance as Attorney or Accredited Representative or Form G-28 on file (**Deficiency V-1¹⁸**).

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 10 of those standards. ODO found 13 deficiencies in the remaining eight standards. ODO commends facility staff for their responsiveness during this inspection and notes there was one instance where staff initiated immediate corrective action during the inspection.

ODO recommends ERO work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations.

Compliance Inspection Results Compared	FY 2017 (PBNDS 2011)	FY 2020 (PBNDS 2011)
Standards Reviewed	16	18
Deficient Standards	3	8
Overall Number of Deficiencies	3	13
Deficient Priority Components	1	0
Repeat Deficiencies	N/A	0
Corrective Actions	1	1

¹⁷ "Telephone access hours shall be posted near the telephones." See ICE PBNDS 2011, Standard, Telephone Access, Section (V)(D).

¹⁸ "Log entries shall include the following information: g. whether the detainee currently has a G-28 on file." See ICE PBNDS 2011, Standard, Visitation, Section (V)(J)(14)(g).