



U.S. Department of Homeland Security
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 Detroit Field Office**

**Monroe County Detention - Dorm
Monroe, Michigan**

March 8-10, 2022

COMPLIANCE INSPECTION
of the
MONROE COUNTY DETENTION - DORM
Monroe, Michigan

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COMPLIANCE INSPECTION TEAM MEMBERS



Acting Team Lead	ODO
Inspections and Compliance Specialist	ODO
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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 Monroe County Detention - Dorm (MCDD) in Monroe, Michigan, from March 8 to 10, 2022.¹ The facility opened in 2000 and is owned and operated by the Monroe County Sheriff's Office (MCSO). The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at MCDD in 2000 under the oversight of ERO's Field Office Director in Detroit (ERO Detroit). The facility operates under the National Detention Standards (NDS) 2019.

ERO has assigned deportation officers (DO) to the facility. A jail administrator handles daily facility operations and manages [REDACTED] support personnel. Continental Cafe, LLC provides food services, Advanced Correctional Healthcare provides medical care, and Keefe Commissary provides commissary services at the facility. The facility does not hold any accreditations from any outside entities.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ²	[REDACTED]
Average ICE Population ³	[REDACTED]
Adult Male Population (as of March 8, 2022)	[REDACTED]
Adult Female Population (as of March 8, 2022)	[REDACTED]

During its last inspection, in Fiscal Year (FY) 2021, ODO found two deficiencies in the following area: Medical Care (2).

¹ This facility holds male 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 March 7, 2022.

³ *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 over 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.” ODO highlights instances when 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.

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

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{5,6}	Deficiencies
Part 1 - Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 - Security	
Admission and Release	0
Custody Classification System	0
Funds and Personal Property	0
Hold Rooms in Detention Facilities	0
Post Orders	2
Searches of Detainees	1
Sexual Abuse and Assault Prevention and Intervention	0
Use of Force and Restraints	0
Sub-Total	3
Part 4 - Care	
Food Service	0
Hunger Strikes	1
Medical Care	1
Personal Hygiene	2
Significant Self-Harm and Suicide Prevention and Intervention	0
Sub-Total	4
Part 5 - Activities	
Correspondence and Other Mail	0
Voluntary Work Program	2
Sub-Total	2
Part 6 - Justice	
Legal Rights Group Presentations	0
Sub-Total	0
Part 7 - Administration and Management	
Detention Files	0
Detainee Transfers	0
Sub-Total	0
Total Deficiencies	9

⁵ For greater detail on ODO's findings, see the *Compliance 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 11 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.

Environmental Health and Safety: One detainee stated his concern about mold in the corners of the shower walls.

- Action Taken: ODO completed a sanitation inspection of the detainee housing unit on March 8, 2022, and found good sanitation practices and no evidence of mold in the corners of the shower walls. In addition, ODO reviewed safety and sanitation inspections for the past 6 months and found no documented evidence of mold. Subsequently, on March 9, 2022, ODO reinspected the housing unit and again found no evidence of mold in the showers nor in any other area in the unit. ODO also photographed the shower walls for additional documentation.

Medical Care: One detainee stated he required medical care for a lump on his neck.

- Action Taken: ODO confirmed from the medical record review by the health services administrator (HSA), facility medical staff examined the detainee for the lump on his neck five different times since November 16, 2021. On November 15, 2021, an MCDD doctor ordered an ultrasound and biopsy, and on November 16, 2021, medical staff examined the detainee and advised him the lump was benign. During the detainee's initial physical exam within 14 days of his arrival to MCDD, he stated the lump had been on his neck for 1 to 2 years. On February 22, 2022, a nurse called an off-site doctor's office to make a follow-up appointment with an endocrinologist but found none in the area. On March 7, 2022, facility staff contacted ERO Detroit on the availability of an endocrinologist for the detainee. As per ERO Detroit guidance, MCDD staff transferred the detainee to the Calhoun County Jail on March 11, 2022, to meet the detainee's medical needs.

Medical Care: One detainee stated his concerns over lower back pain due to his sciatic nerve, ineffective medication, and his request for a second mattress.

- Action Taken: ODO confirmed from the HSA's medical record review, a doctor examined the detainee for his lower back pain and adjusted the detainee's medication as per the detainee's request. The medical staff administered the increased dosage to the detainee and informed him of possible side effects with increased dosage. The doctor denied the detainee's request for a second mattress and explained to the detainee the second mattress increased no clinical value to the detainee's physical condition.

Medical Care: One detainee stated the mental health department has not helped him with managing his anxiety.

- Action Taken: ODO confirmed from the HSA's medical record review, an MCDD doctor examined the detainee for chest pains on February 8, 2022, but found no record of a sick call request for anxiety. The doctor offered the detainee anxiety medication and explained the anxiety as the cause of the detainee's chest pains, but the detainee refused the medication. On March 10, 2022, the medical staff further educated the detainee on anxiety-coping strategies and referred him to an MCDD mental health provider who met with him the same day. The mental health provider succeeded in prescribing the detainee anxiety medication.

Medical Care: One detainee stated his concern over no follow-up from the MCDD medical staff after submitting a sick call request for an upset stomach on March 8, 2022.

- Action Taken: ODO confirmed from the HSA's medical record review, on March 8, 2022, the detainee submitted a sick call request and MCDD medical staff did examine him within 24 hours. The detainee stated he suffered from stomach pains, and an MCDD nurse assessed his symptoms. The medical staff educated the detainee on acid reflux, prescribed Prilosec, and instructed him to follow-up with the medical staff if the pain persisted.

Medical Care: One detainee stated the MCDD correctional officers gave out medication in the absence of facility medical staff.

- Action Taken: ODO confirmed from the HSA's medical record review, on March 9, 2022, the detainee stated an MCDD correctional officer distributed medication in the absence of MCDD medical staff. ODO also confirmed the facility scheduled medication pass times at 7 a.m., 12 p.m., and 5 p.m. On March 10, 2022, the MCDD medical staff reviewed medication pass times with the detainee. ODO reviewed medication records and found an MCDD nurse completed medication passes at the required times.

Personal Hygiene: One detainee stated the facility did not wash nor exchange the sheets weekly.

- Action Taken: ODO interviewed MCDD staff and found the facility scheduled sheet exchange for every Saturday. Additionally, a detainee may exchange a soiled sheet with a housing unit officer. On March 9, 2022, MCDD staff reviewed the laundry schedule with the detainee. ODO observed clean linens in the laundry room ready for exchange and also a posted laundry schedule in the housing unit.

Staff-Detainee Communication: One detainee stated he received his deportation orders, appealed the decision, and had received no response for his 90-day review for March 10, 2022.

- Action Taken: ODO confirmed the detainee's pending deportation from MCDD after speaking with the ERO Detroit DO. On March 9, 2022, the DO spoke with the detainee

and informed him his 90-day review does not start until after receiving final deportation orders. The DO told the detainee that his 90th day fell on March 11, 2022. On March 14, 2022, MCDD facility staff issued the detainee a letter for continued detention because of the detainee's possible classification as a public security threat.

Telephone Access: One detainee stated his frustration with several telephones in his housing unit being unusable.

- Action Taken: ODO inspected the telephones in his housing unit and found one unusable phone. MCDD called in the work order to the contractor, IC Solutions, and received a ticket confirmation number. On March 18, 2022, IC Solutions repaired and restored the phone to working order. Despite one phone not working, the housing unit stayed within the required detainee to telephone ratio.

COMPLIANCE INSPECTION FINDINGS

SECURITY

POST ORDERS (PO)

ODO interviewed an MCDD sergeant and found MCDD did not make a PO master file available to all employees (**Deficiency PO-2**⁷).

ODO reviewed the MCSO policy and procedures and found they did not have written procedures to ensure all MCDD officers read applicable POs (**Deficiency PO-3**⁸).

SEARCHES OF DETAINEES (SD)

ODO reviewed the MCSO policies for searches, strip searches, body cavity searches, and inmate housing unit searches, and did not find written policy and procedures for employing the least intrusive method of search practicable, as indicated by the type of suspected contraband and the method of suspected introduction or concealment; and avoiding unnecessary force during searches to preserve the dignity of the detainee being searched (**Deficiency SD-1**⁹).

⁷ "A master file which contains all post orders shall be available to all employees." See ICE NDS 2019, Standard, Post Orders, Section (II)(A).

⁸ "All facilities shall have written procedures to ensure that all officers read applicable post orders." See ICE NDS 2019, Standard, Post Orders, Section (II)(B).

⁹ "The facility shall have written policy and procedures for the following: ...

3. Employing the least intrusive method of search practicable, as indicated by the type of suspected contraband and the method of suspected introduction or concealment;

4. Avoiding unnecessary force during searches and preserving the dignity of the detainee being searched;" See ICE NDS 2019, Standard, Searches of Detainees, Section (II)(A)(3-4).

CARE

HUNGER STRIKES (HS)

ODO reviewed [REDACTED] MCDD medical staff records and [REDACTED] MCDD non-medical staff training records and found [REDACTED] out of [REDACTED] medical staff records did not have initial training to recognize the signs of a hunger strike, implementation of the procedures for referral for medical assessments, nor training for management of a detainee on a hunger strike (**Deficiency HS-1**¹⁰).

MEDICAL CARE (MC)

ODO reviewed [REDACTED] detainee medical intake screening forms and found [REDACTED] out of [REDACTED] screening forms contained affirmative responses for chronic medical conditions; however, there was nothing to indicate the facility sent the detainees to a qualified, licensed health care practitioner for an evaluation as quickly as possible, or no later than 2 working days. Specifically, the MCDD screening nurse noted referrals for medical evaluations; however, a qualified, licensed healthcare practitioner did not complete an evaluation until 4 and 5 workdays respectively after the initial screening (**Deficiency MC-14**¹¹).

PERSONAL HYGIENE (PH)

ODO observed the detainee housing unit bathing and toilet areas and interviewed MCDD staff. ODO found a half wall for the showers in the housing units served for detainee privacy, but entrances to the shower remained completely open and in the direct line of sight of other detainees and staff in the telephone and seating areas (**Deficiency PH-18**¹²).

Additionally, ODO observed the lack of privacy shower curtains exposed as many as three male detainees to a female officer walking from the dorm entrance to the officers' station (**Deficiency PH-19**¹³).

ACTIVITIES

VOLUNTARY WORK PROGRAM (VWP)

ODO reviewed MCSO polices and interviewed MCDD staff and found MCDD did not provide detainees with a monetary compensation of no less than \$1.00 per day for work. Specifically,

¹⁰ "All staff shall be trained initially and annually thereafter to recognize the signs of a hunger strike, and to implement the procedures for referral for medical assessment and for management of a detainee on a hunger strike." See ICE NDS 2019, Standard, Hunger Strikes, Section (II)(A).

¹¹ "Any detainee responding in the affirmative shall be sent for evaluation to a qualified, licensed health care practitioner as quickly as possible, but no later than two working days." See ICE NDS 2019, Standard, Medical Care, Section (II)(D).

¹² "Detainees shall be provided with a reasonably private bathing and toileting environment in accordance with safety and security needs." See ICE NDS 2019, Standard, Personal Hygiene, Section (II)(G).

¹³ "Detainees shall be able to shower, perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exigent circumstances or when such viewing is incidental to routine cell checks or is otherwise appropriate in connection with a medical examination or monitored bowel movement." See ICE NDS 2019, Standard, Personal Hygiene, Section (II)(G).

MCDD provided detainees with pre-packaged commissary food items valued at \$3.00 per day for work instead of monetary compensation (**Deficiency VWP-10**¹⁴).

ODO interviewed MCDD staff and found MCDD did not pay owed wages to detainees prior to transfer or release (**Deficiency VWP-11**¹⁵).

CONCLUSION

During this inspection, ODO assessed the facility’s compliance with 19 standards under NDS 2019 and found the facility in compliance with 13 of those standards. ODO found nine deficiencies in the remaining six standards. ODO commends MCDD staff for its responsiveness during this inspection. ODO recommends ERO Detroit work with MCDD to resolve any deficiencies that remain outstanding in accordance with contractual obligations. ERO provided ODO with the uniform corrective action plan for ODO’s last inspection of MCDD on October 22, 2021

Compliance Inspection Results Compared	FY 2021 (NDS 2019)	FY 2022 (NDS 2019)
Standards Reviewed	10	19
Deficient Standards	1	6
Overall Number of Deficiencies	2	9
Repeat Deficiencies	0	0
Areas Of Concern	1	0
Corrective Actions	0	0
Corrected Deficiencies	0	0
Facility Rating	N/A	Superior

¹⁴ “Detainees shall receive monetary compensation of not less than \$1.00 per day for work completed in accordance with the facility’s standard policy.” See ICE NDS 2019, Standard, Voluntary Work Program, Section (II)(H).

¹⁵ “Detainees will be paid owed wages prior to transfer or release.” See ICE NDS 2019, Standard, Voluntary Work Program, Section (II)(H).