



**U.S. Department of Homeland Security**  
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 San Antonio Field Office  
Rio Grande Detention Center  
Laredo, TX

December 1–3, 2015

**COMPLIANCE INSPECTION  
for the  
RIO GRANDE DETENTION CENTER  
Laredo, Texas**

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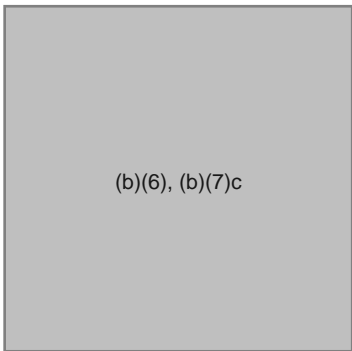
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**INSPECTION TEAM MEMBERS**



Management and Program Analyst (Team Lead)	ODO
Inspections and Compliance Specialist	ODO
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## EXECUTIVE SUMMARY

The Office of Detention Oversight (ODO) conducted a compliance inspection of the Rio Grande Detention Center (RGDC) in Laredo, Texas, from December 1 to 3, 2015.<sup>1</sup> RGDC opened in 2008 and is owned and operated by the GEO Group Incorporated. The Office of Enforcement and Removal Operations (ERO) began housing detainees at RGDC in 2013 pursuant to an Intergovernmental Agreement (IGA) with the US Marshal’s Service, under the oversight of ERO’s Field Office Director (FOD) in San Antonio.

ERO staff members are assigned to the facility. A Detention Services Manager is not assigned to the facility. A GEO Warden is responsible for oversight of daily facility operations and is supported by (b) (6), (b) (7)(F) personnel. The GEO Group Inc. provides medical and food services. The facility holds American Correctional Association and the National Commission on Correctional Healthcare accreditations.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity <sup>2</sup>	672
Average ICE Detainee Population <sup>3</sup>	466
Male Detainee Population (as of 12/01/2015)	366
Female Detainee Population (as of 12/01/2015)	N/A

### OVERALL FINDINGS

This is ODO’s first inspection of the RGDC under the Performance Based National Detention Standards (PBNDS) 2008. ODO reviewed the facility’s compliance with 15 standards and found the facility compliant with 11 standards. ODO found four deficiencies in the remaining four standards. Finally, ODO identified two opportunities where the facility initiated corrective action during the course of the inspection.<sup>4</sup>

Inspection Results	FY (PBNDS 2008)
Standards Reviewed	15
Deficient Standards	4
Overall Number of Deficiencies	4
Deficient Priority Components	0
Corrective Actions Initiated	2

<sup>1</sup> Male detainees of security classification levels “Low,” “Medium,” and “High” are detained at the facility for periods in excess of 72 hours.

<sup>2</sup> Data Source: ERO Facility List Report as of December 8, 2015.

<sup>3</sup> Ibid.

<sup>4</sup> Corrective actions, where immediately implemented, have been identified in the Inspection Findings section and annotated with a “C”.

## FINDINGS BY PBNDS 2008 MAJOR CATEGORIES

PBNDS 2008 STANDARDS INSPECTED <sup>5</sup>	DEFICIENCIES
<b>Part 1 – Safety</b>	
Environmental Health and Safety	0
<b>Part 2 – Security</b>	
Admission and Release	0
Classification System	0
Funds and Personal Property	0
Sexual Abuse and Assault Prevention and Intervention	0
Special Management Units	1
Staff-Detainee Communication	0
Use of Force and Restraints	0
<b>Sub-Total</b>	<b>1</b>
<b>Part 4 – Care</b>	
Food Service	1
Medical Care	0
Suicide Prevention and Intervention	0
<b>Sub-Total</b>	<b>1</b>
<b>Part 5 – Activities</b>	
Telephone Access	0
<b>Sub-Total</b>	<b>0</b>
<b>Part 6 – Justice</b>	
Detainee Handbook	0
Grievance System	1
Law Libraries and Legal Material	1
<b>Sub-Total</b>	<b>2</b>
<b>Total Deficiencies</b>	<b>4</b>

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

## INSPECTION PROCESS

Every fiscal year, the Office of Detention Oversight (ODO), a unit within U.S. Immigration and Customs Enforcement's (ICE) Office of Professional Responsibility (OPR), conducts compliance inspections at detention facilities in which detainees are accommodated for periods in excess of 72 hours and with an average daily population greater than ten detainees, to determine compliance with the applicable ICE National Detention Standards (NDS) 2000, the Performance-Based National Detention Standards (PBNDS) 2008 or 2011.

During the compliance inspection, ODO reviews each facility's compliance with those detention standards that directly affect detainee health, safety, and/or well-being.<sup>6</sup> Any violation of written policy specifically linked to ICE detention standards, other policies, or operational procedures that ODO identifies is noted as a deficiency. ODO also highlights any deficiencies found involving those standards that ICE has designated, under either the PBNDS 2008 or 2011, to be "priority components."<sup>7</sup> ICE considers those components to be of critical importance, given their impact on facility security and/or the health and safety, legal rights, and quality of life of detainees in ICE custody.

Immediately following an inspection, ODO hosts a closeout briefing in person with both facility and ERO field office management to discuss their preliminary findings, which are summarized and provided to ERO in a preliminary findings report. Thereafter, ODO provides ERO with a final compliance inspection report to: (i) assist ERO in working with the facility to develop a corrective action plan to resolve identified deficiencies; and (ii) provide senior ICE and ERO leadership with an independent assessment of the overall state of ICE detention facilities. The reports enable senior agency leadership to make decisions on the most appropriate actions for individual detention facilities nationwide.

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<sup>6</sup> ODO reviews the facility's compliance with selected standards in their entirety.

<sup>7</sup> Priority components have not been identified for the NDS 2000.

## DETAINEE RELATIONS

ODO interviewed 20 detainees, who volunteered to participate. None of the detainees made allegations of mistreatment, abuse, or discrimination. The majority of detainees reported being satisfied with facility services, with the exception of the complaints below:

- *Telephone Access:* Two detainees alleged they were having problems understanding how to make telephone calls at the facility.
  - o Action Taken: ODO made ERO staff aware of the detainee's allegation. ERO staff spoke to the detainees and explained the process for making telephone calls.
  
- *Medical Care:* One detainee alleged he submitted a medical request for left knee pain on November 30, 2015 and had not received medical care. The detainee also alleged he was having problems getting out of his top bunk. Another detainee alleged he did not receive proper medical care for a pre-existing abdominal operation.
  - o Action Taken: ODO communicated the bed allegation to security staff and the detainee was transferred to a bottom bunk on December 2, 2015. On December 3, 2015 the detainee was seen by medical staff for the knee pain.

In reference to the second detainee's allegation of improper medical care for his previous operation, he was seen by facility medical staff on December 2, 2015.

# INSPECTION FINDINGS

## CARE

### FOOD SERVICE (FS)

ODO reviewed the Food Service standard and found the kitchen clean and well maintained. ODO verified utensils were controlled, and equipment was in good working order. However, two of three walk-in coolers had boxes of food stacked within 18 inches of sprinkler deflectors (**Deficiency FS-1<sup>8</sup>**).

*Corrective Action:* Prior to the completion of the inspection, the facility moved the boxes to lower shelves, creating the required 18-inch clearance (**C-1**).

## JUSTICE

### GRIEVANCE SYSTEM (GS)

ODO reviewed the grievance log and corresponding detention files of detainees who filed a grievance and found that the facility did not place a copy of the grievance disposition in the detainee's detention file (**Deficiency DGP-2<sup>9</sup>**). An interview with staff confirmed grievances are not placed in the detainee's detention file.

*Corrective Action:* Prior to the completion of the inspection, ERO placed copies of grievance disposition in detainee's detention files (**C-2**).

### LAW LIBRARY AND LEGAL MATERIAL (LL&LM)

ODO reviewed the facility handbook and found the handbook did not inform detainees of the way in which to report damaged or missing law library materials (**Deficiency LL&LM-1<sup>10</sup>**).

## SECURITY

### SPECIAL MANAGEMENT UNITS (SMU)

ODO's review of facility policy confirmed it is consistent with the standard with one exception. According to the standard, continuation on protective custody for a detainee who has not requested that status requires that the Facility Administrator or the Assistant Facility Administrator sign the review form approving the continuation. RGDC policy states the Facility

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<sup>8</sup> "The area underneath sprinkler deflectors must have at least an 18-inch clearance." See ICE PBNDS 2008, Standard, Food Service, Section (V)(J)(5)(e).

<sup>9</sup> "A copy of the grievance disposition shall be placed in the detainee's detention file and provided to the detainee." See ICE PBNDS 2008, Standard, Grievance System, Section (V)(E).

<sup>10</sup> "The Detainee Handbook or supplement shall provide detainees with the rules and procedures governing access to legal materials, including the following information: The procedure for notifying a designated employee that library material is missing or damaged." See ICE PBNDS 2008, Standard, Law Library and Legal Material, Section (V)(O)(6).

Administrator or his designee, the Chief of Security, may approve continuation of involuntary protective custody (**Deficiency SMU-1**<sup>11</sup>).

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<sup>11</sup> “If the detainee has been segregated for his or her own protection, but not at the detainee's request, the signature of the facility administrator or assistant facility administrator is required on the Form I-885 to authorize the alien’s continued detention.” *See* ICE PBNDS 2008, Standard, Special Management Units, Section (V)(C)(3)(a).