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Inspections and Detention Oversight Division
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Office of Detention Oversight
Compliance Inspection

Enforcement and Removal Operations
ERO Atlanta Field Office

Robert A. Deyton Detention Facility
Lovejoy, Georgia

January 10-13, 2022

COMPLIANCE INSPECTION
of the
ROBERT A. DEYTON DETENTION FACILITY
Lovejoy, Georgia

TABLE OF CONTENTS

FACILITY OVERVIEW	4
COMPLIANCE INSPECTION PROCESS	5
FINDINGS BY NATIONAL DETENTION STANDARDS 2019	
MAJOR CATEGORIES	6
DETAINEE RELATIONS.....	7
COMPLIANCE INSPECTION FINDINGS.....	7
SECURITY.....	7
Admission and Release	7
Custody Classification System	7
Funds and Personal Property	8
ACTIVITIES	9
Correspondence and Other Mail	9
CONCLUSION.....	10

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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 Robert A. Deyton Detention Facility (RDDF) in Lovejoy, Georgia, from January 10 to 13 2022.¹ The facility opened in 2008 and is owned by Clayton County and operated by The Geo Group, Inc. (GEO). The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at RDDF in 2008 under the oversight of ERO’s Field Office Director in Atlanta (ERO Atlanta). The facility operates under the National Detention Standards (NDS) 2019.

ERO does not have any staff assigned to the facility. An RDDF administrator handles daily facility operations and supervises [REDACTED] support staff. GEO provides food services and medical care, and Keefe Commissary provides commissary services at the facility. The facility was accredited by the American Correctional Association in January 2019 and the National Commission on Correctional Health Care in June 2020. In June 2020, RDDF was audited for the Department of Justice (DOJ) Prison Rape Elimination Act (PREA) and was DOJ PREA certified.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	[REDACTED]
Average ICE Detainee Population ³	[REDACTED]
Male Detainee Population (as of January 10, 2022)	[REDACTED]
Female Detainee Population (as of January 10, 2022)	[REDACTED]

During its last inspection, in Fiscal Year (FY) 2021, ODO found nine deficiencies in the following areas: Custody Classification System (4); Sexual Abuse and Assault Prevention and Intervention (4); and Medical Care (1).

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

² Data Source: ERO Facility List Report as of January 3, 2022.

³ *Ibid.*

⁴ RDDF’s FY 2021 average daily population was 12, which is why ODO added RDDF to their FY 2022 inspection schedule.

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.⁵

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.

⁵ ODO reviews the facility’s compliance with selected standards in their entirety.

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{6,7}	Deficiencies
Part 1 – Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 – Security	
Admission and Release	3
Custody Classification System	7
Funds and Personal Property	3
Post Orders	0
Searches of Detainees	0
Use of Force and Restraints	0
Special Management Units	0
Sexual Abuse and Assault Prevention and Intervention	0
Sub-Total	13
Part 4 – Care	
Food Service	0
Hunger Strikes	0
Medical Care	0
Personal Hygiene	0
Significant Self-Harm and Suicide Prevention and Intervention	0
Sub-Total	0
Part 5 – Activities	
Correspondence and Other Mail	5
Voluntary Work Program	0
Sub-Total	5
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

⁶ For greater detail on ODO’s findings, see the *Compliance Inspection Findings* section of this report.

⁷ 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.

DETAINEE RELATIONS

ODO interviewed two out of three detainees, who each voluntarily agreed to participate. ODO attempted to interview the third detainee; however, he was in out processing and departed the facility before ODO had the opportunity to interview him. None of the detainees made allegations of discrimination, mistreatment, or abuse. Both detainees reported satisfaction with facility services. ODO attempted to conduct detainee interviews via video teleconference; however, the ERO field office and facility were not able to accommodate this request due to technology issues. As such, ODO conducted the detainee interviews via telephone.

COMPLIANCE INSPECTION FINDINGS

SECURITY

ADMISSION AND RELEASE (AR)

ODO reviewed the facility's intake and transfer policy and ■ detention files for detainees who arrived at the facility with personal property, interviewed the AR supervisor, and found ■ out of ■ files did not document the detainee's personal property on the property form (**Deficiency AR-11⁸**).

ODO reviewed the facility's intake and transfer policy and ■ detention files, interviewed the AR supervisor, and found ■ out of ■ files did not have an Admission or Release form (Form I-203 or I-203a) nor a Record of Persons and Property Transferred form (Form I-216) (**Deficiency AR-18⁹**).

ODO reviewed the facility's detainee handbook, interviewed the AR supervisor, and found the detainee handbook did not include procedures for a detainee to appeal his or her classification (**Deficiency AR-27¹⁰**).

CUSTODY CLASSIFICATION SYSTEM (CCS)

ODO reviewed the facility's classification policy and ■ detention files, interviewed the CCS supervisor, and found ■ out of ■ files did not have a custody classification form completed prior to the facility admitting the detainees to the general population (**Deficiency CCS-2¹¹**).

⁸ "Each facility shall institute procedures for inventory and receipt of detainee funds, valuables, and personal property in accordance with Standard 2.4, 'Funds and Personal Property.'" See ICE NDS 2019, Standard, Admission & Release, Section (II)(C).

⁹ "Official documentation from ICE/ERO (e.g., Form I-203, I-203a, or I-216) shall accompany each newly arriving detainee." See ICE NDS 2019, Standard, Admission & Release, Section (II)(F).

¹⁰ "The facility handbook will fully describe all policies, procedures, and rules in effect at the facility, in accordance with Standard 6.1, 'Detainee Handbook.'" See ICE NDS 2019, Standard, Admission & Release, Section (II)(I).

¹¹ "The classification system shall ensure all detainees are classified upon arrival, before being admitted into the general population." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(A)(1).

ODO reviewed the facility's classification policy and █ detention files, interviewed the CCS supervisor, and found █ out of █ files did not have a custody classification form completed within 12 hours of the detainees' admissions to the facility (**Deficiency CCS-4**¹²).

ODO reviewed the facility's classification policy and █ detention files, interviewed the CCS supervisor, and found █ out of █ files did not have the detainees' criminal histories, despite RDDF placing the detainees in the general population prior to receipt of this information (**Deficiency CCS-5**¹³).

ODO reviewed the facility's classification policy and found it did not address supervisory review. Specifically, ODO's review of █ detention files found █ out of █ files did not document a supervisor's review of the detainees' classifications (**Deficiency CCS-6**¹⁴). **This is a repeat deficiency.**

ODO reviewed the facility's classification policy and █ detention files and found █ out of █ files did not document a supervisor's review of detainee classifications for accuracy and completeness (**Deficiency CCS-10**¹⁵). **This is a repeat deficiency.**

ODO reviewed the facility's classification policy and █ detention files, interviewed the CCS supervisor, and found █ out of █ files did not have documented or discernable facts, i.e., the most recent or prior criminal offense(s), escapes, violent episodes/incidents, etc., for the classification staff to use during the classification process (**Deficiency CCS-12**¹⁶).

ODO reviewed the facility's detainee handbook and found it did not include the procedures for a detainee to appeal his or her classification (**Deficiency CCS-30**¹⁷).

FUNDS AND PERSONAL PROPERTY (FPP)

ODO reviewed the facility's detainee property policy and █ detention files, interviewed the FPP

¹² "The classification system shall ensure the initial classification process and initial housing unit assignment should be completed within 12 hours of admission to the facility." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(A)(2).

¹³ "The classification system shall ensure if a detainee cannot be classified without certain information that is missing at the time of processing (e.g., results of criminal-record check) the detainee will be kept apart from the general population pending arrival of that information." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(A)(3).

¹⁴ "The classification system shall ensure a supervisor will review each detainee's classification." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(A)(4).

¹⁵ "A supervisor will review the intake/processing officer's classification file for each detainee for accuracy and completeness." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(B).

¹⁶ "Staff shall use the most reliable, objective information available during the classification process. "Objective" information refers to documented or discernible facts, such as gender identification, most recent and/or prior criminal offense(s), escapes, institution disciplinary history, violent episodes/incidents, victimization, mental health and/or medical status, and age." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(A)(C).

¹⁷ "The facility shall include a classification section in its detainee handbook which will include the procedures by which a detainee may appeal his or her classification." See ICE NDS 2019, Standard, Custody Classification System, Section (II)(H)(1-2).

supervisor, and found █ out of █ files did not have a completed property receipt (**Deficiency FPP-4¹⁸**).

ODO reviewed the facility's detainee property policy and 10 detention files, interviewed the FPP supervisor, and found █ out of █ files did not contain a completed property form (**Deficiency FPP-17¹⁹**).

ODO reviewed the facility's detainee property policy and five released detainee files, interviewed the FPP supervisor, and found one out of five files did not contain the detainee's signature on the property form indicating his receipt of all funds and personal property due him (**Deficiency FPP-24²⁰**).

ACTIVITIES

CORRESPONDENCE AND OTHER MAIL (COM)

ODO reviewed the facility's detainee handbook and found it did not include a definition of special correspondence nor instructions to the detainees on how to properly label special correspondence (**Deficiency COM-7²¹**).

ODO reviewed the facility's detainee handbook and found it did not notify detainees of the facility's policy on packages (**Deficiency COM-8²²**).

ODO reviewed the facility's detainee handbook and found it did not notify detainees how to obtain writing implements, paper, nor envelopes (**Deficiency COM-10²³**).

¹⁸ "Each detainee shall be given a receipt for all property held until release." *See* ICE NDS 2019, Standard, Funds and Personal Property, Section (II)(C)(2).

¹⁹ "The record shall be maintained in the detention file or in a retrievable electronic format, and a copy of the record shall be provided to the detainee." *See* ICE NDS 2019, Standard, Funds and Personal Property, Section (II)(A).

²⁰ "After a property check, the detainee will then sign a receipt for the property, indicating his or her receipt of all funds and personal property due him or her." *See* ICE NDS 2019, Standard, Funds and Personal Property, Section (II)(E).

²¹ "The facility shall notify detainees in a language or manner that they understand of its policy on correspondence and other mail, and shall include information on sending and receiving correspondence in the facility handbook. At a minimum, the notification shall specify: ...

5. The definition of special correspondence, including instructions on the proper labeling for special correspondence." *See* ICE NDS 2019, Standard, Correspondence and Other Mail, Section (II)(B)(5).

²² "The facility shall notify detainees in a language or manner that they understand of its policy on correspondence and other mail, and shall include information on sending and receiving correspondence in the facility handbook. At a minimum, the notification shall specify: ...

6. Facility policy on packages." *See* ICE NDS 2019, Standard, Correspondence and Other Mail, Section (II)(B)(6).

²³ "The facility shall notify detainees in a language or manner that they understand of its policy on correspondence and other mail, and shall include information on sending and receiving correspondence in the facility handbook. At a minimum, the notification shall specify: ...

8. How to obtain writing implements, paper, and envelopes." *See* ICE NDS 2019, Standard, Correspondence and Other Mail, Section (II)(B)(8).

ODO reviewed the facility's detainee handbook and found it did not notify detainees of the facility's procedure for purchasing postage (**Deficiency COM-11**²⁴).

ODO interviewed the mailroom officer and compliance manager, reviewed the facility's detainee correspondence policy and detainee handbook, and found the facility did not provide indigent detainees the ability to mail at least three pieces of general correspondence and at least five pieces of special correspondence or legal mail. Specifically, the facility policy and detainee handbook state: (i) indigent detainees will receive stationery sufficient to send one letter per week; (ii) indigent detainees housed for more than 30 days will receive a postage allowance and stationery sufficient to send three letters per week; and (iii) indigent detainees will receive stationery sufficient to send five letters per week to contact attorneys and courts, unless a facility administrator approved an alternate amount (**Deficiency COM-36**²⁵).

ODO interviewed the mail room officer who stated the facility would give identity documents (passports, birth certificates, etc.) received in the mail to ICE/ERO. ODO reviewed the facility's detainee correspondence policy and confirmed the requirement to secure identity documents with a detainee's property in the property room. This standard requires facility staff to hand over all identity documents received in the mail to ICE/ERO. Due to the inconsistency in the facility's policy and practice, ODO notes this as an **Area of Concern**.

CONCLUSION

During this inspection, ODO assessed the facility's compliance with 19 standards under NDS 2019 and found the facility in compliance with 15 of those standards. ODO found 18 deficiencies in the remaining 4 standards. ODO commends facility staff members for their responsiveness during this inspection. ODO recommends ERO work with the facility to resolve any deficiencies that remain outstanding in accordance with contractual obligations. ODO has not received the uniform corrective action plan for ODO's last inspection of RDDF which occurred in July 2021.

²⁴ "The facility shall notify detainees in a language or manner that they understand of its policy on correspondence and other mail, and shall include information on sending and receiving correspondence in the facility handbook. At a minimum, the notification shall specify: ...

9. The procedure for purchasing postage (if any), and the rules for providing indigent and certain other detainees free postage." *See* ICE NDS 2019, Standard, Correspondence and Other Mail, Section (II)(B)(9).

²⁵ "The facility shall establish procedures to provide indigent detainees the ability to mail a reasonable amount of mail each week at government expense, including the following:

1. At least three pieces of general correspondence;

2. At least five pieces of special correspondence or legal mail." *See* ICE NDS 2019, Standard, Correspondence and Other Mail, Section (II)(H)(1-2).

Compliance Inspection Results Compared	FY 2021 (NDS 2019)	FY 2022 (NDS 2019)
Standards Reviewed	12	19
Deficient Standards	3	4
Overall Number of Deficiencies	9	18
Repeat Deficiencies	9	2
Areas of Concern	4	1
Corrective Actions	0	0
Facility Rating	N/A	Superior