



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 Phoenix Field Office

CCA, Florence Correctional Center

Florence, AZ

June 28–30, 2016

**COMPLIANCE INSPECTION
for the
CCA, FLORENCE CORRECTIONAL CENTER
Florence, Arizona**

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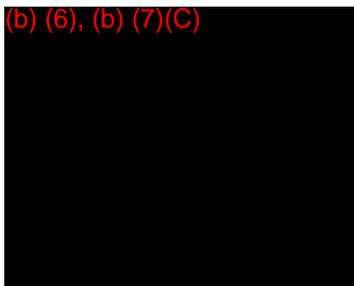
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INSPECTION TEAM MEMBERS



Lead Inspections and Compliance Specialist	ODO
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EXECUTIVE SUMMARY

The Office of Detention Oversight (ODO) conducted a compliance inspection of the Florence Correctional Center (FCC) in Florence, Arizona, from June 28 to 30, 2016.¹ FCC opened in 1999 and is owned by U.S. Immigration and Customs Enforcement (ICE) and operated by Corrections Corporation of America (CCA). The Office of Enforcement and Removal Operations (ERO) began housing detainees at FCC in 2005 pursuant to an Intergovernmental Service Agreement (IGSA), under the oversight of ERO’s Field Office Director (FOD) in Phoenix, AZ.

ERO staff members are not assigned to the facility. A Detention Services Manager is not assigned to the facility. An Assistant Warden is responsible for oversight of daily facility operations and is supported by (b) (7) personnel. CCA provides medical service and Trinity Food Service provides food service. The facility is accredited by the American Correctional Association and the National Commission on Correctional Health Care.

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	566
Average ICE Detainee Population ³	652
Male Detainee Population (as of 06/28/2016)	1078
Female Detainee Population (as of 06/28/2016)	0

OVERALL FINDINGS

In December 2012, ODO conducted an inspection of the FCC under the Performance-Based National Detention Standards (PBNDS) 2008. ODO reviewed the facility’s compliance with 18 standards and found the facility compliant with 13 standards. ODO found seven deficiencies in the remaining five standards.

Inspection Results Compared	FY 2012 (PBNDS 2008)	FY2016 (PBNDS 2008)
Standards Reviewed	18	15
Deficient Standards	5	3
Overall Number of Deficiencies	7	4
Deficient Priority Components	0	1
Corrective Actions Initiated	4	3

In FY2016, ODO conducted an inspection of the FCC under the PBNDS 2008. ODO reviewed the facility’s compliance with 15 standards and found the facility compliant with 12 standards. ODO found four deficiencies in the remaining three standards, one of which was a priority component. Finally, ODO identified three instances in which the facility initiated corrective action during the course of the inspection.⁴

¹ Male detainees with low, medium low, medium high, and high security classification levels are detained at the facility for longer than 72 hours.

² Data Source: ERO Facility List Report as of June 20, 2016.

³ *Ibid.*

⁴ Corrective actions, where immediately implemented, best practices and ODO recommendations, as applicable, have been identified in the Inspection Findings section and annotated with a “C,” “BP,” or “R,” respectively.

FINDINGS BY PBNDS 2008 MAJOR CATEGORIES

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

⁵ 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 to determine compliance with the ICE National Detention Standards (NDS) 2000, or the Performance-Based National Detention Standards (PBNDs) 2008 or 2011, as applicable.

During the compliance inspection, ODO reviews each facility's compliance with those detention standards that directly affect detainee health, safety, and/or well-being.⁶ Any violation of written policy specifically linked to ICE detention standards, ICE 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."⁷ Priority components have been selected from across a range of detention standards based on their critical importance to 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.

⁶ ODO reviews the facility's compliance with selected standards in their entirety.

⁷ Priority components have not been identified for the NDS.

DETAINEE RELATIONS

ODO interviewed 40 detainees, each of whom 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 complaint below:

Law Libraries and Legal Materials: One detainee complained that the facility law library computers have outdated versions of the Lexis-Nexis software.

- Action Taken: ODO observed that each of the 20 detainee housing units has a computer containing all required law library materials. ODO interviewed ERO staff and found they conduct weekly checks of the law library computers, and that they updated the Lexis-Nexis software on all the computers in February 2016. ODO verified the updates on the law library computers during the inspection.

INSPECTION FINDINGS

SECURITY

USE OF FORCE AND RESTRAINTS (UOF&R)

ODO reviewed written documentation and video recordings of use of force incidents involving ICE detainees from June 2015 to June 2016 and learned the facility had one calculated use of force incident involving a detainee in the past year. ODO reviewed the audio-video recording of the entire use of force team operation including the team leader offering the detainee a last chance to cooperate before team action, and a close-up view of the detainee's body during the medical exam. However, ODO observed the audio-video recording did not include an introduction by the team leader, the faces of all team members with their protective gear removed, or a debriefing of the incident (**Deficiency UOF&R-1**⁸).

ACTIVITIES

TELEPHONE ACCESS (TA)

ODO conducted operational checks of the telephones in each of the 20 detainee housing units by calling randomly selected preprogrammed numbers. ODO found all phones were in good working order, and learned that the facility's phone system has an automated message notifying detainee callers that all calls are subject to monitoring. ODO also observed notices are posted at each phone informing detainee callers that all calls are subject to monitoring; however, notice of the procedures for obtaining an unmonitored call to a court, legal representative, or for the purposes of obtaining legal representation is not posted at each telephone that is subject to monitoring (**Deficiency TA-1**⁹).

Corrective Action: The facility initiated corrective action by placing the procedures for obtaining an unmonitored call to a court, legal representative, or for the purposes of obtaining legal representation at each telephone that is subject to monitoring (**C-1**).

ODO reviewed the facility handbook and found that the handbook provides detainees with the telephone access rules; however, the telephone access rules were not posted in any of the housing units (**Deficiency TA-2**¹⁰).

⁸ "Calculated use-of-force incidents shall be audiovisually-recorded in the following order: Introduction by Team Leader stating facility name, location, time, date, etc., describing the incident that led to the calculated use of force, and naming the audiovisual camera operator and other staff present. Faces of all team members should briefly appear (with helmets removed and heads uncovered), one at a time, identified by name and title. Debrief the incident with a full discussion/analysis/assessment of the incident." See ICE PBNDS 2008, Standard, Use of Force and Restraints, Section (V)(I)(2)(1,2 and 6). **This is a priority component.**

⁹ "If telephone calls are monitored, the facility shall: At each monitored telephone, place a notice that states: The procedure for obtaining an unmonitored call to a court, a legal representative, or for the purposes of obtaining legal representation." See ICE PBNDS 2008, Standard, Telephone Access, Section (V)(B).

¹⁰ "Each facility shall provide telephone access rules in writing to each detainee upon admission, and also shall post these rules where detainees may easily see them in a language they can understand." See ICE PBNDS 2008, Standard, Telephone Access, Section (V)(C).

Corrective Action: The facility initiated corrective action by placing the telephone access rules in each housing unit in English and Spanish (C-2).

JUSTICE

LAW LIBRARIES AND LEGAL MATERIAL (LL&LM)

ODO reviewed the facility handbook and found that the handbook provides detainees with the policy and procedures that govern access to the law library. Nevertheless, those policy and procedures for accessing the law library were not also posted in the law library along with a list of the law library's holdings (**Deficiency LL&LM -1¹¹**).

Corrective Action: The facility initiated corrective action by posting the policy and procedures along with the law library's holdings in the law library (C-3).

¹¹ "These policies and procedures shall also be posted in the law library along with a list of the law library's holdings." See ICE PBNDS 2008, Standard, Law Libraries and Legal Material, Section (V)(O).