

---

# ICE Detention Standards Compliance Review

Tom Green County Justice Center

July 15-17, 2008

REPORT DATE – July 25, 2008



Contract Number: ODT-6-D-0001  
Order Number: HSCEOP-07-F-01016

**b6** Executive Vice President  
Creative Corrections  
6415 Calder, Suite B  
Beaumont, TX 77706

**b6** COTR  
U.S. Immigration and Customs Enforcement  
Detention Standards Compliance Unit  
801 I Street NW  
Washington, DC 20536

---

~~FOR OFFICIAL USE ONLY (LAW ENFORCEMENT SENSITIVE)~~

---



6415 Calder, Suite B • Beaumont, Texas 77706  
409.866.9920 • www.correctionalexperts.com

Making a Difference!

July 25, 2008

MEMORANDUM FOR: James T Hayes, Jr., Acting Director  
Office of Detention and Removal Operations

FROM: [Redacted] for [Redacted]  
Reviewer-In-Charge

SUBJECT: Tom Green County Justice Center  
Annual Detention Review

Creative Corrections conducted an Annual Detention Review (ADR) of the Tom Green County Justice Center (TGCJC), located in San Angelo, Texas on July 15-17, 2008. As noted on the attached documents, the team of Subject Matter Experts (SME) included: [Redacted] SME for Security; [Redacted] SME for Health Services; [Redacted] SME for Safety; and [Redacted] SME for Food Services.

A final review closeout was conducted with [Redacted] Captain, on July 17, 2008. The closeout included a discussion of all deficiencies and concerns noted during our review.

**Type of Review:**

This review is a scheduled Detention Standard Review to determine general compliance with established ICE National Detention Standards for facilities used for over 72 hours.

**Review Summary:**

The TGCJC is not accredited by American Correctional Association (ACA), National Commission on Correctional Health Care (NCCHC), or the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

**Standards Compliance:**

The following information summarizes the standards reviewed and the overall compliance for this review. The following statistical information provides a direct comparison of the 2007 ADR and the 2008 ADR.

<u>August 10, 2007</u>	<u>Review</u>	<u>July 15-17, 2008</u>	<u>Review</u>
<b>Compliant</b>	<b>34</b>	<b>Compliant</b>	<b>29</b>
<b>Deficient</b>	<b>1</b>	<b>Deficient</b>	<b>4</b>
<b>At-Risk</b>	<b>0</b>	<b>At-Risk</b>	<b>1</b>
<b>Not-Applicable</b>	<b>3</b>	<b>Not-Applicable</b>	<b>4</b>

***Environmental Health and Safety-Deficient***

ICE maintains a general policy for every facility to control flammable, toxic, and caustic material through a hazardous material program, to include identification labeling, per NFPA procedures, and to identify incompatible materials and safe handling procedures.

- The TGCJC has insufficient controls over hazardous materials, in that, they have no policy or practice for storing, issuing, or maintaining inventories of hazardous materials. Such materials go un-inventoried, unsecured, and unsupervised throughout the facility and staff are not provided the required protective equipment when handling the materials.
- The fire plan has not been reviewed by the fire department that serves the facility, and does not include monthly fire inspections or proper signage for egress in the event of an emergency. Fire drills are not conducted monthly.
- There is no sanitation program for barbering operations. The portable barbering unit is used without proper sanitation protocols in effect.
- The medical department does not inventory sharps. Drinking water and wastewater are not routinely tested according to a fixed schedule.

***Recommendations***

Facility managers should undertake a meaningful review of their hazardous materials program and develop appropriate systems of control to ensure the safety of detainees and staff. Controls should specifically address those areas mentioned above. Fire safety efforts should be coordinated with the local fire department, proper signage should be clearly posted in the facility, and monthly (not quarterly) fire drills should be conducted. Sanitation protocols for the barbering operation should be developed and the notion of designated areas in which barbering will occur should be explored. The medical department should review its individual operation for sharps disposal. Drinking water and wastewater tests should be scheduled routinely.

### ***Hunger Strike-Deficient***

General ICE policy requires each facility to follow standard guidelines for the medical and administrative management of detainee hunger strikers in an effort to sustain their lives.

- While there were no ICE detainee hunger strike incidents to review, the plan focused on a group disruptive situation rather than individuals. The plan did not address identification of a hunger striker and did not address staff training. There was no indication of specific policy or practice exclusively for medical staff when managing a hunger striker.

### ***Recommendations***

Facility managers should develop a meaningful program for managing hunger striking detainees, to include the identification / definition of a hunger strike, staff initial and periodic refresher training, and the specific role of medical staff.

### ***Medical Care-Deficient***

General ICE policy requires each facility to establish and maintain an accreditation-worthy health program for the general well-being of detainees.

- Detainee physicals are not conducted within the 14-day requirement and TB tests are not performed within the required period.
- Medical files are not maintained in a secure area of the unit and medication is not properly secured.
- Detainee intake screening does not include an individual who has the expertise to identify medical needs. Those distributing medications are not properly trained.

### ***Recommendations***

State standards for medical attention are more liberal than ICE standards. Facility staff should adapt their health care protocols to comply with ICE requirements, for the general well-being of detainees (physical exams and TB tests should be administered in a timely manner). Files and medication should be properly secured and a health care professional should be directly involved in the detainee screening process. Those who distribute medication should be properly trained.

### ***Key and Lock Control-Deficient***

ICE requires an efficient system for the use, accountability, and maintenance of all keys and locks.

- The maintenance supervisor has insufficient administrative duties and responsibilities for the key control program; there is no credible inventory program for keys and locking devices, no preventive maintenance program, and there is no procedure in place in the event of lost or compromised keys/locks. The integrity of safe combinations is questionable.

### ***Recommendations***

Facility managers should develop a comprehensive and credible system of key and lock accountability and maintenance. The security officer designee should be properly trained as to the features of an effective key and lock control program and implement practices which speak to ICE standards. Individual keys should be counted daily, key rings should be identifiable by a number/letter designation, and the numbers of keys on individual rings should be noted on each ring. Plans should be developed to maintain keys in good condition and to have staff act accordingly when keys are lost or keys/locks compromised. Facility staff should be trained as to proper key / lock procedures. Safe combinations should be changed in specific situations (staff turnover, for example) to maintain integrity.

### ***Post Orders-At Risk***

ICE policy requires that each staff member be provided the necessary guidance to carry out duties on each designated post and that post orders be established for each post and given to the staff member upon assignment to a post.

- This finding is of significant concern, as it is a repeat departure from ICE policy for **the second consecutive review**; the rating for this standard was deficient a year ago. To date, post orders have not been developed.

### **Recommendations**

While no ICE detainees are currently housed at this facility, administrators should determine how interested they are in maintaining a working relationship with ICE and act accordingly. Post order guidance is clear in ICE policy. Post orders should be developed as soon as practical if the TGCJC is to remain in good standing as an ICE holding option.

### **Recommended Rating and Justification**

It is the Reviewer-in-Charge (RIC) recommendation that the facility receive a rating of "Acceptable."

### **RIC Assurance Statement**

All findings of this review have been documented on Detention Review Worksheet and are supported by the written documentation contained in the review file.



# DETENTION FACILITY INSPECTION FORM

FACILITIES USED LONGER THAN 72 HOURS

**A. TYPE OF FACILITY REVIEWED**

<input type="checkbox"/>	ICE Service Processing Center
<input type="checkbox"/>	ICE Contract Detention Facility
<input checked="" type="checkbox"/>	ICE Intergovernmental Service Agreement

**B. CURRENT INSPECTION**

Type of Inspection	
<input type="checkbox"/>	Field Office
<input checked="" type="checkbox"/>	HQ Inspection
Date[s] of Facility Review	
July 15-17, 2008	

**C. PREVIOUS/MOST RECENT FACILITY REVIEW**

Date[s] of Last Facility Review	
August 10, 2007	
Previous Rating	
<input type="checkbox"/>	Superior
<input checked="" type="checkbox"/>	Good
<input type="checkbox"/>	Acceptable
<input type="checkbox"/>	Deficient
<input type="checkbox"/>	At-Risk

**D. NAME AND LOCATION OF FACILITY**

Name	
Tom Green County Justice Center	
Address	
122 West Harris Street	
City, State and Zip Code	
San Angelo, Texas 76903	
County	
Tom Green	
Name and Title of Chief Executive Officer (Warden/OIC/Superintendent)	
b6, b7c	Captain
Telephone Number (Include Area Code)	
325	b6, b7c
Field Office / Sub-Office (List Office with Oversight)	
Eden, Texas	
Distance from Field Office	
45 miles	

**E. ICE INFORMATION**

Name of Inspector (Last Name, Title and Duty Station)	
b6, b7c	RIC
Name of Team Member / Title / Duty Location	
b6	Food Services SME
Name of Team Member / Title / Duty Location	
b6, b7c	/Security SME
Name of Team Member / Title / Duty Location	
b6, b7c	/Safety SME
Name of Team Member / Title / Duty Location	
b6	/Medical Services SME
Name of Team Member / Title / Duty Location	
/	/

**F. CDF/IGSA INFORMATION ONLY**

Contract Number	Date of Contract or IGSA
77-01-0073	8-1-01
Basic Rates per Man-Day	
\$42.00	

Other Charges: (If None, Indicate N/A)
; ; <input type="checkbox"/> N/A
Estimated Man-days per Year
0

**G. ACCREDITATION CERTIFICATES  N/A**

List all State or National Accreditation[s] received:
Texas Jail Association

**H. PROBLEMS / COMPLAINTS (COPIES MUST BE ATTACHED)**

The Facility is under Court Order or Class Action Finding	
<input type="checkbox"/>	Court Order
<input type="checkbox"/>	Class Action Finding
The Facility has Significant Litigation Pending	
<input type="checkbox"/>	Major Litigation
<input type="checkbox"/>	Life/Safety Issues
<input checked="" type="checkbox"/>	None

**I. FACILITY HISTORY**

Date Built	
2000	
Date Last Remodeled or Upgraded	
2001	
Date New Construction / Bed Space Added	
2001/192	
Future Construction Planned	
<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
Date:	
Current Bed space	Future Bed Space (# New Beds only)
449	Number:                      Date:

**J. TOTAL FACILITY POPULATION**

Total Facility Intake for Previous 12 months
12,785
Total ICE Man Days for Previous 12 months
1

**K. CLASSIFICATION LEVEL (ICE SPCs AND CDFs ONLY)**

	L-1	L-2	L-3
Adult Male			
Adult Female			

**L. FACILITY CAPACITY**

	Rated	Operational	Emergency
Adult Male	377	377	377
Adult Female	78	78	78
<input type="checkbox"/> Facility Holds Juveniles Offenders 16 and Older as Adults			

**M. AVERAGE DAILY POPULATION**

	ICE	USMS	Other
Adult Male	0	10	321
Adult Female	0	1	69

**N. FACILITY STAFFING LEVEL**

Security:	Support:
b2/High	

~~FOR OFFICIAL USE ONLY (LAW ENFORCEMENT SENSITIVE)~~

## SIGNIFICANT INCIDENT SUMMARY WORKSHEET

In order for Creative Corrections to complete its review of your facility, you must complete the following worksheet prior to your scheduled review dates. This worksheet must contain data for the past twelve months. We will use this worksheet in conjunction with the ICE Detention Standards to assess your detention operations with regard to the needs of ICE and its detainee population. Failure to complete this worksheet will result in a delay in processing this report, and may result in a reduction or removal of ICE detainees from your facility.

INCIDENTS	DESCRIPTION	Jan – Mar	Apr – Jun	Jul – Sep	Oct – Dec
Assault: Offenders on Offenders <sup>1</sup>	Types (Sexual <sup>2</sup> , Physical, etc.)	0	0	0	0
	With Weapon	0	0	0	0
	Without Weapon	12	0	10	8
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	0	0	0	0
	With Weapon	0	0	0	0
	Without Weapon	3	0	6	0
Number of Forced Moves, incl. Forced Cell Moves <sup>3</sup>		0	0	0	0
Disturbances <sup>4</sup>		0	1	0	0
Number of Times Chemical Agents Used		6	1	7	6
Number of Times Special Reaction Team Deployed/Used		0	0	0	0
# Times Four/Five Point Restraints Applied/Used	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	30	40	20	50
	Type (C=Chair, B=Bed, BB=Board, O=Other)	30	40	20	50
Offender / Detainee Medical Referrals as a Result of Injuries Sustained.		10	0	16	8
Escapes	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances:	# Received	101	93	95	98
	# Resolved in Favor of Offender/Detainee	20	15	10	10
Deaths	Reason (V=Violent, I=Illness, S=Suicide, A=Attempted Suicide, O=Other)	0	0	0	0
	Number	0	0	0	0
Psychiatric / Medical Referrals	# Medical Cases Referred for Outside Care	60	60	60	60
	# Psychiatric Cases Referred for Outside Care	6	7	7	8

<sup>1</sup> Any attempted physical contact or physical contact that involves two or more offenders

<sup>2</sup> Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting

<sup>3</sup> Routine transportation of detainees/offenders is not considered "forced"

<sup>4</sup> Any incident that involves four or more detainees/offenders, includes gang fights, organized multiple hunger strikes, work stoppages, hostage situations, major fires, or other large scale incidents.

~~FOR OFFICIAL USE ONLY (LAW ENFORCEMENT SENSITIVE)~~

## DHS/ICE DETENTION STANDARDS REVIEW SUMMARY REPORT

1. ACCEPTABLE	2. DEFICIENT	3. AT-RISK	4. REPEAT FINDING	5. NOT APPLICABLE						
<b>LEGAL ACCESS STANDARDS</b>					1.	2.	3.	4.	5.	
1.	Access to Legal Materials				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Group Presentations on Legal Rights				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.	Visitation				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.	Telephone Access				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>DETAINEE SERVICES</b>										
5.	Admission and Release				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.	Classification System				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.	Correspondence and Other Mail				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.	Detainee Handbook				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.	Food Service				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10.	Funds and Personal Property				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Detainee Grievance Procedures				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Issuance and Exchange of Clothing, Bedding, and Towels				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13.	Marriage Requests				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14.	Non-Medical Emergency Escorted Trip				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15.	Recreation				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16.	Religious Practices				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17.	Voluntary Work Program				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>HEALTH SERVICES</b>										
18.	Hunger Strikes				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19.	Medical Care				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20.	Suicide Prevention and Intervention				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21.	Terminal Illness, Advanced Directives and Death				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>SECURITY AND CONTROL</b>										
22.	Contraband				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23.	Detention Files				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24.	Disciplinary Policy				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25.	Emergency Plans				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26.	Environmental Health and Safety				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27.	Hold Rooms in Detention Facilities				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28.	Key and Lock Control				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
29.	Population Counts				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
30.	Post Orders				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
31.	Security Inspections				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
32.	Special Management Units (Administrative Detention)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
33.	Special Management Units (Disciplinary Segregation)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
34.	Tool Control				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
35.	Transportation (Land management)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36.	Use of Force				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
37.	Staff/ Detainee Communication (Added August 2003)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
38.	Detainee Transfer (Added September 2004)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**ALL FINDINGS OF DEFICIENT AND AT-RISK REQUIRE WRITTEN COMMENT DESCRIBING THE FINDING AND WHAT IS NECESSARY TO REACH COMPLIANCE.**




# RIC REVIEW ASSURANCE STATEMENT

BY SIGNING BELOW, THE REVIEWER-IN-CHARGE (RIC) CERTIFIES THAT:

1. ALL FINDINGS OF NON-COMPLIANCE WITH POLICY OR INADEQUATE CONTROLS, AND FINDINGS OF NOTEWORTHY ACCOMPLISHMENTS, CONTAINED IN THIS INSPECTION REPORT, ARE SUPPORTED BY EVIDENCE THAT IS SUFFICIENT AND RELIABLE; AND
2. WITHIN THE SCOPE OF THIS REVIEW, THE FACILITY IS OPERATING IN ACCORDANCE WITH APPLICABLE LAW AND POLICY, AND PROPERTY AND RESOURCES ARE BEING EFFICIENTLY UTILIZED AND ADEQUATELY SAFEGUARDED, EXCEPT FOR ANY DEFICIENCIES NOTED IN THE REPORT.

### REVIEWER-IN-CHARGE

Reviewer-In-Charge: (Print Name)  b6, b7c	Signature 
Title & Duty Location	Date 7/19/2008
RIC	

### TEAM MEMBERS

Print Name, Title, & Duty Location  b6, b7c SME for Security	Print Name, Title, & Duty Location  b6 SME for Health Services
Print Name, Title, & Duty Location  b6, b7c SME for Safety	Print Name, Title, & Duty Location  b6 SME for Food Services

**RECOMMENDED RATING:**

- SUPERIOR
- GOOD
- ACCEPTABLE
- DEFICIENT
- AT-RISK

**COMMENTS:**

~~FOR OFFICIAL USE ONLY (LAW ENFORCEMENT SENSITIVE)~~

# HEADQUARTERS EXECUTIVE REVIEW

## Review Authority

The signature below constitutes review of this report and acceptance by the Review Authority. OIC/CEO will have 30 days from receipt of this report to respond to all findings and recommendations.

HQDRO EXECUTIVE REVIEW: (Please Print Name)	Signature	[Redacted Signature] b6, b7c
b6, b7c Title	Date	January 10, 2009
Acting Chief, Detention Standards Compliance Unit		

- Final Rating:
- Superior
  - Good
  - Acceptable
  - Deficient
  - At-Risk
  - No Rating

Comments: The Review Authority concurs with the "Acceptable" rating. A Plan of Action is required to correct the deficient areas identified in the Environmental Health and Safety, Hunger Strikes, Key and Lock Control, Access to Medical Care, Detainee Handbook, Classification Systems, Issuance and Exchange of Clothing, Bedding, and Towels, Marriage Request, Recreation, Emergency Plans, Security Inspections, Use of Force and Special Management Units (Administration Detention) standards. A Plan of Action is also required to correct the at risk area identified in the Post Orders standard.