
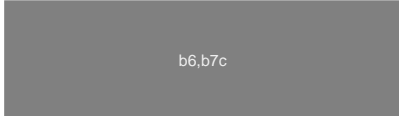


Date: November 15, 2007

MEMORANDUM FOR: John P. Torres
Director
Office of Detention and Removal

FROM:  *for* 
Reviewer-In-Charge

SUBJECT: Titus County Detention Center
Initial Review

Creative Corrections conducted an Initial Review of the Titus County Detention Center (TCDC), located in Titus, Texas, November 12-14, 2007. The facility has an Intergovernmental Services Agreement (IGSA) with the United States Marshal Services (USMS). Immigration and Customs Enforcement (ICE) utilizes the existing agreement to house detainees for over 72 hours. As noted on the attached documents, the team of Subject Matter Experts (SME) included

 Security;  Health Services;  Safety;
 Food Services; and  Senior Project Manager.

A closeout meeting was held on November 14, 2007, with Sheriff Arvel P. Shepard and his staff. All deficiencies, concerns, and recommendations were discussed.

Type of Review

This review is a scheduled Detention Standard Review to determine general compliance with established ICE National Detention Standards.

Review Summary

The facility was constructed in 1991 and is not currently accredited by the 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:

November 12-14, 2007 Review

Compliant	34
Deficient	4
At-Risk	0
Not Applicable	0

Post Orders – Deficient

ICE provides officers all necessary guidance for carrying out their duties. This guidance includes the post orders established for every post, which are reviewed at least annually, and given to each officer upon assignment to that post.

- No policy or written Post Orders were in place.

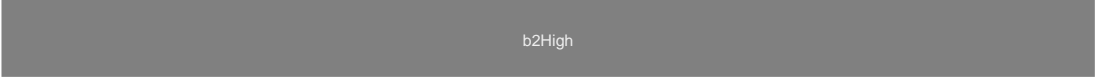
Recommendations

- The facility should develop and implement Post Orders, which are consistent with ICE Detainee standards.

Environmental Health and Safety – Deficient

Every facility will control flammable, toxic and caustic materials through a hazardous materials program. The program will include, among other things, the identification and labeling of hazardous materials in accordance with applicable standards (National Fire Protection Association (NFPA), identification of incompatible materials, and safe-handling procedures.

- There is no system or written policy/procedures for storing, issuing, and maintaining inventories of hazardous materials.
- Constant inventories are not being maintained for all hazardous chemicals.
- There was no listing of all chemical storage areas that included a plant diagram.
- The proper personal protective equipment to be used when handling hazardous chemicals was not noted in appropriate areas.
- The detainees were unsupervised in areas with unsecured hazardous chemicals.

- Vents needed cleaning to ensure proper airflow. Unit showers were in very poor sanitary condition. A number of ceiling tiles throughout the facility were badly stained and needed replacing.
- Living units did not have appropriate temperatures. Three units (L, M, and G) were checked and temperatures were 63, 63, and 65, respectively.
- Several chemicals were not stored in the original containers. The containers had no markings or identifications of any kind.
- There was no documentation of any training for detainees using hazardous chemicals.
- The secondary fire exit from the kitchen was blocked on several occasions.
- The current officer conducting monthly safety and fire inspections does not have any specialized training.
- Fire drills are being conducted on a quarterly basis; however, required monthly drills are not being completed.
- There are no standard operating procedures for using equipment, cleaners or disinfectants and a comprehensive cleaning schedule is not posted.
- There were no spill kits available.
-  b2High
- There are no written procedures concerning blood and body fluid exposures during an emergency.

Recommendations

- There should be a specific policy and procedure on hazardous materials. The program must include accountability, supervision, and proper labeling of all chemical containers. Staff should be trained in the use of equipment (gloves, goggles, etc.) and be provided Material Safety Data Sheet (MSDS).
- The cleaning of vents and unit showers should be a priority.
- The unit showers need repainting. Numerous stained and damaged ceiling tiles need replacing.
- The heating and cooling system needs repair to ensure all dorms receive proper heating and cooling.

- Procedures are needed in the kitchen to ensure the fire exit is not blocked.
- The officer conducting fire and safety inspections should receive training from an appropriate source.
- The Fire Drill Program is comprehensive and well documented; however, drills need to be conducted each month.
- The Sanitation Plan should include additional guidance in using sanitation equipment, use of sanitation chemicals and a more detailed cleaning schedule.
- Unused sharps in Medical Services should be inventoried and tracked.
- A spill kit should be purchased or developed in-house to respond to blood spills.
- Written procedures need to be developed to instruct staff on proper procedures for responding to blood or body fluid exposures.

Hunger Strikes – Deficient

All facilities will follow standard guidelines for the medical and administrative management of ICE detainees engaging in hunger strikes. By monitoring the health and welfare of the individual detainees, facilities will strive to sustain their lives.

- There is no policy or procedure that requires staff to isolate a hunger-striking detainee from other detainees.
- The medical staff does not have any policies or procedures that record the weight and vital signs of a hunger-striking detainee at least every 24 hours.
- A policy does not exist for documenting when a hunger strike starts and that three meals per day are offered to the detainee.
- There is no policy that requires staff to record the striking detainee's fluid intake.
- There is no policy for staff to document all treatment attempts, including informing the hunger striker of medical risks.
- Staff should be trained in the identification of hunger strikes. Staff should remain current in evaluation and treatment techniques.

Recommendations

- Develop written policy for the management of hunger strikes that addresses the above noted deficiencies.

Tool Control – Deficient

It is the policy of all facilities that all employees shall be responsible for complying with the tool control policy. The Maintenance Supervisor shall maintain a computer generated or typewritten master inventory list of tools and equipment and the location in which tools are stored. These inventories shall be current, on file and readily available for tool inventory and accountability during an audit.

- The facility has no written tool control policy and does not control tools appropriately.
- All tools should be stored in secured areas and shadow boards should be utilized to aid in identification.
- A portable tool cart maintained inside the supervisor's office had no inventory.

Recommendations

- A tool control policy should be created which adheres to ICE Detention Tool Control Standards.
- The facility should develop and implement a tool classification system.
- The facility should establish written procedures for marking/etching tools to identify the storage area.
- The facility should develop shadow boards and maintain accurate inventories of all tools in all locations.

RIC Issues and Concerns

There are concerns in the areas of Detainee Handbook, Detainee Grievance Procedures, Food Service, Funds and Personal Property, and Visiting as follows:

Detainee Handbook

- The Detainee Handbook needs to be translated into Spanish.
- An annual review of the handbook needs to be completed.
- The handbook needs some additional clarification to include information on classification, special management units, count and meal times, clothing exchange, and

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telephone usage during peak times. The handbook should identify procedures for the assistance to detainees at all levels of the grievance process.

Detainee Grievance Procedures

- Expand the Titus County Jail Grievance Plan to include specific verbiage that provides assistance to detainees when preparing a grievance. The plan should include provisions for those who are illiterate, disabled, and/or non-English speaking.
- The policy should also include directions to forward any grievance that involves officer misconduct to a manager and/or ICE.

Food Service

- There are no detainee job descriptions in place at this facility. Job descriptions need to be written, signed by the detainee and maintained in the detainee file.
- There was no documentation of training for detainee workers available for review. Workers need to be trained and the documentation placed in the detainee files.
- There is not a 35-day cycle menu at this facility. This menu needs to be developed and approved by a registered dietician.
- There is not a Common Fare Program at this facility. A program should be established to comply with ICE standards.
- Religious ceremonial meals are not served. The Food Service Department should obtain a list of these meals. Detainees who chose to participate in the Common Fare Diet Program should receive meals in compliance with ICE requirements.
- The carts used to transport food to the housing units are subject to tampering. Food carts with locking devices should be used to prevent tampering.
- Detainees are not receiving a pre-employment medical examination. In order to prevent the spread of infectious diseases, an examination should be completed by Medical Services prior to assignment in Food Service.

Funds and Personal Property

- There are no written policies on handling abandoned detainee property. Written procedures should be established for the disposition of abandoned property per ICE standards.

Visiting

- When detainees arrive, they should be provided information concerning pro bono legal organizations.

Recommended Rating and Justification

It is the RIC recommendation that the facility receive a rating of "Acceptable." It is also recommended that a Plan of Action be required to correct the non-compliant standards identified during this review.

RIC Assurance Statement

All findings of this review have been documented on Form CC-324A and are supported by the written documentation contained in the review file.

A. Type of Facility Reviewed

ICE Service Processing Center
 ICE Contract Detention Facility
 ICE Intergovernmental Service Agreement

B. Current Inspection

Type of Inspection
 Field Office HQ Inspection
 Date[s] of Facility Review
November 12, 2007

C. Previous/Most Recent Facility Review

Date[s] of Last Facility Review
No previous review.
 Previous Rating
 Superior Good Acceptable Deficient At-Risk

D. Name and Location of Facility

Name
Titus County Detention Center
 Address (Street and Name)
304 S Van Buren St
 City, State and Zip Code
Mount Pleasant, Texas 75455
 County
Titus
 Name and Title of Chief Executive Officer (Warden/OIC/Superintendent)
Sheriff Arvel P Shepard
 Telephone # (Include Area Code)
(903) [b6,b7c]
 Field Office / Sub-Office (List Office with oversight responsibilities)
Dallas, Texas
 Distance from Field Office
110 miles

E. Creative Corrections Review Team

Name of Inspector (Last Name, Title and Duty Station)
 [b6,b7c] / **RIC / Senior Administrator**
 Name of Team Member / Title / Duty Location
 [b6,b7c] / **SME / Security**
 Name of Team Member / Title / Duty Location
 [b6] / **SME / Health Services**
 Name of Team Member / Title / Duty Location
 [b6] / **SME / Food Service**
 Name of Team Member / Title / Duty Location
 [b6,b7c] / **SME / Safety**
 Name of Team Member / Title / Duty Location
 [b6] / **SPM / Senior Administrator**

F. CDF/IGSA Information Only

Contract Number _____ Date of Contract or IGSA _____
 No current ICE contract
 Basic Rates per Man-Day _____
 Other Charges: (If None, Indicate N/A)
 ; ; ;

Estimated Man-days Per Year

G. Accreditation Certificates

List all State or National Accreditation[s] received:
 Check box if facility has no accreditation[s]

H. Problems / Complaints (Copies must be attached)

The Facility is under Court Order or Class Action Finding
 Court Order Class Action Order
 The Facility has Significant Litigation Pending
 Major Litigation Life/Safety Issues
 Check if None.

I. Facility History

Date Built
 1991
 Date Last Remodeled or Upgraded
 Date New Construction / Bedspace Added
 Future Construction Planned
 Yes No Date:
 Current Bedspace 188 Future Bedspace (# New Beds only) Number: Date:

J. Total Facility Population

Total Facility Intake for previous 12 months
 2987
 Total ICE Mandays for Previous 12 months
 None

K. Classification Level (ICE SPCs and CDFs Only)

	L-1	L-2	L-3
Adult Male	N/A	N/A	N/A
Adult Female	N/A	N/A	N/A

L. Facility Capacity

	Rated	Operational	Emergency
Adult	182	188	32
<input type="checkbox"/> Facility holds Juveniles Offenders 16 and older as Adults			

M. Average Daily Population

	ICE	USMS	Other
Adults	0	31.45	68.55

N. Facility Staffing Level

Security: [b2High] Support: [b2High]

Significant Incident Summary Worksheet

For Creative Corrections to complete its review of your facility, the following information must be completed prior to the scheduled review dates. The information on this form should contain data for the past twelve months in the boxes provided. The information on this form is used in conjunction with the ICE Detention Standards in assessing your Detention Operations against the needs of the ICE and its detained population. This form should be filled out by the facility prior to the start of any inspection. Failure to complete this section will result in a delay in processing this report and the possible reduction or removal of ICE' detainees at your facility.

<i>Incidents</i>	<i>Description</i>	Jan – Mar	Apr – Jun	Jul – Sept	Oct – Dec
Assault: Offenders on Offenders ¹	Types (Sexual ² , Physical, etc.)	Physical	Physical	Physical	Physical
	With Weapon	0	0	0	0
	Without Weapon	1	6	3	2
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	N/A	N/A	N/A	N/A
	With Weapon	0	0	0	0
	Without Weapon	0	0	0	0
Number of Forced Moves, incl. Forced Cell moves ³		0	0	0	0
Disturbances ⁴		0	0	0	0
Number of Times Chemical Agents Used		0	0	0	0
Number of Times Special Reaction Team Deployed/Used		0	0	0	0
Restraints applied/used	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	2/V	3/V	4/V	2/V
	Type (C=Chair, B=Bed, BB=Board, O=Other)	2/O	3/O	4/O	2/O
Offender / Detainee Medical Referrals as a result of injuries sustained.		0	0	0	0
Escapes	Attempted	0	0	0	0
	Actual	1	0	0	0
Grievances:	# Received	25	29	75	23
	# Resolved in favor of Offender/Detainee	6	9	15	5
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	0	0	0	0
	# Psychiatric Cases referred for Outside Care	0	0	0	0

¹ Any attempted physical contact or physical contact that involves two or more offenders

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

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

⁴ 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.

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Creative Corrections Detention Standards Review Summary Report

1. Acceptable 2. Deficient 3. At Risk 4. Repeat Finding 5. Not Applicable

	1.	2.	3.	4.	
Legal Access Standards					
1. Access to Legal Materials	<input checked="" 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"/>	
3. Visitation	<input checked="" 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"/>	
Detainee Services					
5. Admission and Release	<input checked="" 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"/>	
7. Correspondence and Other Mail	<input checked="" 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"/>	
9. Food Service	<input checked="" 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"/>	
11. Detainee Grievance Procedures	<input checked="" 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"/>	
13. Marriage Requests	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Non-Medical Emergency Escorted Trip	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Recreation	<input checked="" 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"/>	
17. Voluntary Work Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health Services					
18. Hunger Strikes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Medical Care	<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"/>	
21. Terminal Illness, Advanced Directives and Death	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Security and Control					
22. Contraband	<input checked="" 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"/>	
24. Disciplinary Policy	<input checked="" 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"/>	
26. Environmental Health and Safety	<input type="checkbox"/>	<input checked="" 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"/>	
28. Key and Lock Control	<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"/>	
30. Post Orders	<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"/>	
32. Special Management Units (Administrative Segregation)	<input checked="" 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"/>	
34. Tool Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
35. Transportation (Land management)	<input checked="" 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"/>	
37. Staff/ Detainee Communication (Added August 2003)	<input checked="" 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"/>	

All findings (Deficient and At-Risk) require written comment describing the finding and what is necessary to meet compliance.

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ICE Detention Standards Compliance Review Worksheet

(This document must be attached to each Creative Corrections Inspection Form)
This form to be used for inspections of all IGSA facilities used over 72 hours



- Local Jail – IGSA
 State Facility – IGSA
 ICE Contract Detention Facility

Name <i>Titus County Detention Center</i>
Address (Street and Name) <i>304 S. Van Buren Street</i>
City, State and Zip Code <i>Mount Pleasant, Texas 75455</i>
County <i>Titus</i>
Name and Title of Chief Executive Officer (Warden/OIC/Superintendent) <i>Arvel Shepard, Sheriff</i>
Name and title of Reviewer-In-Charge b6,b7c
Date[s] of Review <i>November 12-14, 2007</i>
Type of Review <input checked="" type="checkbox"/> Headquarters <input type="checkbox"/> Operational <input type="checkbox"/> Special Assessment <input type="checkbox"/> Other

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RIC Review Assurance Statement

By signing below, the Reviewer-In-Charge (RIC) certifies that all findings of noncompliance with policy or inadequate controls contained in the Inspection Report are supported by evidence that is sufficient and reliable. Furthermore, findings of noteworthy accomplishments are supported by sufficient and reliable evidence. Within the scope of the review, the facility is operating in accordance with applicable law and policy, and property and resources are efficiently used and adequately safeguarded, except for the deficiencies noted in the report.

Reviewer-In-Charge: (Print Name) b6,b7c	Signature <i>[Signature]</i>
Title & Duty Location RIC, Creative Corrections	Date November 15, 2007

Team Members	
Print Name, Title, & Duty Location b6,b7c / SME / Security / Creative Corrections	Print Name, Title, & Duty Location b6,b7c / SME / Safety / Creative Corrections
Print Name, Title, & Duty Location b6 / SME / Health Services / Creative Corrections	Print Name, Title, & Duty Location b6 / SPM / Senior Project Manager
Print Name, Title, & Duty Location b6 / SME / Food Service / Creative Corrections	Print Name, Title, & Duty Location

Recommended Rating:

- Superior
- Good
- Acceptable
- Deficient
- At-Risk

Comments: The facility did not have access to the Detention Standards prior to the review; however, they exhibited a willingness to align current procedures, as necessary, to become more compliant with ICE Standards in future operations.

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MANAGEMENT REVIEW

Review Authority

The signature below constitutes review of this report and acceptance by the Office of Detention and Removal. **The Facility has 30 days from receipt of this report to respond to all findings and recommendations.**

HQDRO MANAGEMENT REVIEW: (Print Name) b6,b7c	Signature b6,b7c
Title Chief	Date 2/11/08

- Final Rating:
- Superior
 - Good
 - Acceptable
 - Deficient
 - At-Risk

Comments: The Review Authority concurs with the recommended rating of "Acceptable". A Plan of Action is required to address the deficiencies identified in the Post Orders, Environmental Health and Safety, Hunger Strikes, and Tool Control Detention Standards.

Although a Plan of Action is not required, the Field Office is requested to address the RIC Issues and Concerns with the facility in regard to:

- Detainee Handbook
- Detainee Grievance Procedures
- Food Service
- Funds and Personal Property
- Visiting

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