



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: John P. Torres
Director, [REDACTED] b6, b7c

FROM: [REDACTED] b6, b7c
Reviewer- In- Charge
HQDRO/DMD/DSCU

SUBJECT: Headquarters Detention Review
Port Isabel Service Processing Center Annual Review

The Detention Management Division, Detention Standards Compliance Unit, performed a Headquarters Detention Review of the Port Isabel Service Process Center (SPC) in Los Fresnos, Texas on February 13-15, 2007. The review was performed under the guidance of [REDACTED] b6, b7c Reviewer-In-Charge. Team members included [REDACTED] b6, b7c, Atlanta Field Office, [REDACTED] b6, b7c Baltimore Field Office and [REDACTED] b6, Division of Immigration Health Services (DIHS).

Type of Review

This review is a scheduled Headquarters Review, which is performed to determine overall compliance with the Immigration Customs Enforcement (ICE) National Detention Standards (NDS). The facility received a previous rating of "Good" during the February 2006 review.

Review Summary

The American Correctional Association (ACA), the National Commission on Correctional Health care (NCCHC) and the Joint Accreditation Commission for Healthcare (JCAHO) accredited the Port Isabel (SPC). The following information summarizes last dates of successful accreditation and those standards that are not in compliance.

ACA: January 2005
NCCHC: February 2006
JCAHO: March 2005

<u>2006 Review</u>		<u>2007 Review</u>	
Compliant	38	Compliant	36
Deficient	0	Deficient	2
Repeat Deficiency	0	Repeat Deficiency	0
At-Risk	0	At-Risk	0

Review Findings:

The following standards received a rating of deficient:

Staff Detainee Communication-Deficient

The ICE requirement to communicate with detainees was implemented to ensure that detainees had full access to immigration staff in charge of their immigration case. Detainees generally do not have representation and usually have no other method for obtaining information regarding their custody status or pending removal from the United States. A lack of communication can leave a detainee frustrated and can result in a delay for court proceedings, removal, and ultimately lead to the detainee exhibiting disruptive or other problematic behavior. Deportation staff, by policy, has a responsibility to communicate effectively with detainees assigned to their respective dockets and ensure that the detainee receives everything they are entitled to by policy and/or regulation. The following areas of deficiency were noted at Port Isabel Service Processing Center:

- Deportation Officers are not visiting male or females in detainees units.
- ICE staff does not respond to detainee requests within 72 hours.
- Detainees are not receiving responses from detainee request forms.

The facility provided inconsistent documentary evidence that detention and deportation staff conduct scheduled weekly visits to detainee living areas to observe current climate and conditions of confinement. Although the schedule is posted for Immigration Enforcement Agents to conduct visits, there was no sufficient evidence in the sign in logbook to support officers posted schedule.

Recommendation:

- Officers need to visit male and female living area.
- Request forms need to be reviewed and answered within the 72-hour time frame.

All detainees shall have access to medical services that promote detainee health and general well-being.

Medical facilities in service processing centers and contract detention facilities will maintain current accreditation by the National Commission on Correctional Health Care. Each medical facility will strive for accreditation with the Joint Commission on the Accreditation of Health Care Organizations.

- After interview of detainees and review of approximately 75 random sick call requests, approximately 70% of the requests were reviewed, triaged and seen within 2-4 days of submitting, approximately, 20% averaged 6-8 days and approximately 10% were greater than 10 days. The majority of the detainees interviewed (4 different pods) were dissatisfied with medical service. The policy at PIDC, which was verbally confirmed by the Health Service Administrator, indicates sick call requests will be picked up and triaged daily by medical staff. Based on the severity of the request, appointments will be scheduled accordingly. Sick call is conducted 7 days per week. A total of 62 charts were randomly audited. During the audit, all PEs had been completed within 14 days of arrival. All chronic medical files reviewed had a PE completed by a Provider.

Recommendation: Over all, this standard has been met; however, 30% of sick call slips were not reviewed, triaged and scheduled in a timely manner for an appointment according to the standards. Reviewer discussed verbally with CAPT Moe, Health Service Administrator regarding the sick call requests deficiency. Corrective action (verbal) per CAPT [b6, b7c] The medical staff will begin, immediately, daily triaging every sick call request submitted. Reviewer recommends review of corrective action of sick call standard in 6months.

- During the first two days of the review, medical staffing included 1 RN on day shift (12 hours), two RNs on night shift (12 hours) and one LPN (3-11p). Responsibilities include pill line for over 100 detainees, sick call for 80-100 detainees, emergency response, lab procedures, equipment checks, etc. Support staff during the day is composed of the clinical Director, (2) AHSA, and a Mid level provider.

Recommendation: More medical staff is needed to meet the health care needs of the population based on the size of the facility, the type and scope of health care services provided, the needs of the detainee population and the organizational structure.

- Several medical files were noted to have scanned forms of non-DIHD substitute screening (I- 794) forms. Verbal confirmation by LCDR [b6] states approval for use of these forms was given by DIHS-HQ.

Recommendation: Recommend all substitute screening forms are submitted for approval to the Health Service Division prior to use at the facility.

The following best practices were observed:

Funds and Personal Property-Best Practice

The Funds and Property section demonstrated a meticulous and exceptionally accurate system to maintaining funds and personal property. The property room is very organized and each container tagged with an I-77 and sealed, the facility also created a numerical tag system as a way of organizing property. The funds and small valuables are also marked with the corresponding tag number so that the detainee receives all of his or her property and not just part of the property before leaving the facility. Despite the fact that this facility holds such a large number of detainees and has a high removal rate it still maintains one of the most accurate and effective property systems.

Tool Control-Best Practice

Tool Control maintenance shop was extremely clean and organized, the maintenance Supervisor and Tool Control Officer has a unique way of conducting their monthly inventory. All tools are located on shadow boards that is specified not only by bin numbers but also on hanging inventory sheets for particular section as well as kept on a computer backup drive.

Significant Observations

Staff-Interaction

The management staffs at Port Isabel SPC were professional and included many years of experience and various law enforcement backgrounds. Staff noticeably emulated the professionalism set forth by their management team.

Any information requested was retrieved in an expeditious manner and any concerns were addressed immediately. The staff was well versed in policy and procedure at this location and took pride in their facility.

Recommended Rating and Justification:

The Reviewer-In-Charge recommends that the facility receive a rating of "Acceptable." The facility complies with 36 of 38 Immigration and Customs Enforcement, National Detention Standards.

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RIC Assurance Statement

The findings of compliance and noncompliance are documented on the G-324a Inspection form and are supported by documentation 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
 February 13-15,2007

C. Previous/Most Recent Facility Review

Date[s] of Last Facility Review
 February, 2006
 Previous Rating
 Superior Good Acceptable Deficient At-Risk

D. Name and Location of Facility

Name
 Port Isabel Detention Center
 Address (Street and Name)
 27991 Buena Vista Road
 City, State and Zip Code
 Los Fresno, Texas 78566
 County
 Cameron
 Name and Title of Chief Executive Officer (Warden/OIC/Superintendent)
 b6, b7c
 Telephone # (Include Area Code)
 956 b6, b7c
 Field Office / Sub-Office (List Office with oversight responsibilities)
 San Antonio/ Harlingen
 Distance from Field Office
 250/30 miles

E. ICE Information

Name of Inspector (Last Name, Title and Duty Station)
 b6, b7c D&D Officer / Washington, DC
 Name of Team Member / Title / Duty Location
 b6, b7c / DO / Atlanta Field Office
 Name of Team Member / Title / Duty Location
 b6, b7c / DO / Baltimore Field Office
 Name of Team Member / Title / Duty Location
 b6 / LTCDR / DIHS Aguadilla, PR

F. CDF/IGSA Information Only

Contract Number N/A	Date of Contract or IGSA
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:
 ACA, NCCHC, JCAHO
 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
 1955 with new facility opened on 2/5/07
 Date Last Remodeled or Upgraded
 2007
 Date New Construction / Bedspace Added
 2001
 Future Construction Planned
 Yes No Date: Pending
 Current Bedspace
 1200
 Future Bedspace (# New Beds only)
 Number: 2000 Date: unknown

J. Total Facility Population

Total Facility Intake for previous 12 months
 10,483
 Total ICE Mandays for Previous 12 months
 170,170

K. Classification Level (ICE SPCs and CDFs Only)

	L-1	L-2	L-3
Adult Male	329	208	273
Adult Female	124	22	0

L. Facility Capacity

	Rated	Operational	Emergency
Adult Male	900	900	900
Adult Female	300	300	300

Facility holds Juveniles Offenders 16 and older as Adults

M. Average Daily Population

	ICE	USMS	Other
Adult Male	805	0	0
Adult Female	300	0	0

N. Facility Staffing Level

Security: b2High Support:

DHS/ICE Detention Standards Review Summary Report				
1. Acceptable	2. Deficient	3. At Risk	4. Repeat Finding	5. Not Applicable
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 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"/>
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 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"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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.

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 b6, b7c
Title & Duty Location D & D Officer, Washington, DC	Date April 11, 2007

Team Members

Print Name, Title, & Duty Location b6, b7c DO, Atlanta Field Office	Print Name, Title, & Duty Location b6, b7c DO, Baltimore Field Office
Print Name, Title, & Duty Location b6 LTCMR, DIHS, Miami Field office	Print Name, Title, & Duty Location

Recommended Rating:


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

Comments:

MANAGEMENT REVIEW

Review Authority

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

HQDRO MANAGEMENT REVIEW: (Print Name)	Signature
John P. Torres	
Title	Date
Director	4/11/2007

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

Comments: