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# ICE Detention Standards Compliance Review

**Kinney County Detention Center**

May 27 – 29, 2008

REPORT DATE – June 5, 2008



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

b6 [REDACTED] Executive Vice President  
Creative Corrections  
6415 Calder, Suite B  
Beaumont, TX 77706

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



June 5, 2008

MEMORANDUM FOR: Gary E. Mead, Acting Director  
Office of Detention and Removal Operations

FROM:

b6,b7c  
Reviewer-In-Charge  
Creative Corrections

b6,b7c

b6,b7c

SUBJECT: Kinney County Detention Facility

Creative Corrections conducted the Annual Detention Review (ADR) of the Kinney County Detention Facility located in Brackettville, Texas, on May 27–29, 2008. Kinney County has an Intergovernmental Services Agreement (IGSA) with the United States Marshals Service (USMS) which may be utilized by the Immigration and Customs Enforcement (ICE) to house detainees. . Community Education Centers (CEC) manages the facility for Kinney County and they are considering building an additional housing unit to accommodate ICE detainees. As noted on the attached documents, my team of Subject Matter Experts (SME) included b6 SME for Health Services b6,b7c SME for Environmental Health and Safety; b6,b7c SME for Security and b6 SME for Food Services.

A closeout meeting was held on May 29, 2008, with Warden b6,b7c and b6 b6 Special Assistant to Divisional Director, Community Education Centers, Inc., during which all concerns and recommendations were discussed.

**Type of Review:**

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

**Review Summary:**

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

**Standards Compliance:**

The following statistical information provides a direct comparison of the May 2008, ADR and the ADR conducted in May 2007.

<b><u>May 22-23, 2007, Review</u></b>		<b><u>May 27-29, 2008, Review</u></b>	
<b>Compliant</b>	<b>35</b>	<b>Compliant</b>	<b>35</b>
<b>Deficient</b>	<b>0</b>	<b>Deficient</b>	<b>0</b>
<b>At Risk</b>	<b>0</b>	<b>At Risk</b>	<b>0</b>
<b>Non-Applicable</b>	<b>3</b>	<b>Non-Applicable</b>	<b>3</b>

**RIC Issues and Concerns**

**Environmental Health and Safety**

The facility should monitor the new Weekly/Monthly Life Safety Equipment Inspection Log conducted and maintained by the Maintenance Supervisor to assure compliance with ICE National Detention Standards and NFPA guidelines.

The facility should conduct monthly fire drills in accordance with ICE National Detention Standard and NFPA 101 guidelines, and document emergency key time of issuance and time of unlocking the doors during fire drills.

**Access to Medical Care**

The facility should ensure that nursing assessments and clinical interventions to include administering medications receive the required review and approval by the contract physician. The facility should monitor their internal controls to ensure the nurses provide clinical care within their scope of education and licensure per the Texas Nurse's Practice Act.

Controls and compliance reviews for effectiveness of new policies and procedures developed during the review should be maintained. Specifically, detainees need to sign consent forms for all medical treatment to include histories and initial physical examinations. Staff training for identifying and monitoring hunger strikes and distributing medications should also be completed and documented.

**Special Management Units**

The facility should ensure that detainees in the Special Management Unit receive five hours of recreation per week.

### **Key and Lock Control**

The facility should ensure that the staff member assigned to maintain keys and locks attends an approved locksmith training program. The facility should ensure that entry/exit door keys on daily issue and emergency key rings are notched for "no sight" recognition.

### **Recommended Rating and Justification**

It is the Reviewer-in-Charge recommendation that the facility receive a rating of "Acceptable". It is also recommended by the RIC that a Plan of Action be required for this facility to identify and implement necessary corrective actions for the noted RIC concerns.

### **RIC Assurance Statement**

All findings of this review have been documented on the Detention Review Worksheet attached 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**

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  
 May 27<sup>th</sup> -29<sup>th</sup> 2008

**C. Previous/Most Recent Facility Review**

Date[s] of Last Facility Review  
 May 22-23, 2007  
 Previous Rating  
 Superior     Good     Acceptable     Deficient     At-Risk

**D. Name and Location of Facility**

Name  
**Kinney County Detention Center**  
 Address (Street and Name)  
**1501 Ranch Rd. 131**  
 City, State and Zip Code  
**Brackettville, TX 78832**  
 County  
**Kinney County**  
 Name and Title of Chief Executive Officer  
 (Warden/OIC/Superintendent)  
 [Redacted] **Warden**  
 Telephone # (Include Area Code)  
**830-** [Redacted]  
 Field Office / Sub-Office (List Office with oversight responsibilities)  
**San Antonio, TX**  
 Distance from Field Office  
**100**

**E. Creative Corrections Review Team**

[Redacted]  
 [Redacted]  
 [Redacted]  
 [Redacted]  
 [Redacted]

**F. CDF/IGSA Information Only**

Contract Number M80-05-0010	Date of Contract or IGSA April 1, 2007
Basic Rates per Man-Day \$51.20	
Other Charges: (If None, Indicate N/A) \$12.71 Per Hr Guard Services	
Estimated Man-days per Year 134,200	

**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  
 December 2004  
 Date Last Remodeled or Upgraded  
 N/A  
 Date New Construction / Bed space Added  
 N/A  
 Future Construction Planned  
 Yes     No    Date:  
 Current Bed Space    Future Bed Space (# New Beds only)  
 384    Number:    Date:

**J. Total Facility Population**

Total Facility Intake for previous 12 months  
 1,552  
 Total ICE Mandays for Previous 12 months  
 0

**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 Male	384	384	400
Adult Female	0	0	0

Facility holds Juveniles Offenders 16 and older as Adults

**M. Average Daily Population**

	ICE	USMS	Other
Adult Male	0	375	0
Adult Female	0	0	0

**N. Facility Staffing Level**

Security: [Redacted]    Support: [Redacted]  
 [Redacted]

## 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
Assaults	Types (Sexual <sup>1</sup> , Physical, etc.)	S-0 P-9	S-0 P-6	S-0 P-12	S-0 P-8
	With Weapon	0	0	0	0
	Without Weapon	9	6	12	8
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	S-0 P-1	S-0 P-1	S-0 P-0	S-0 P-1
	With Weapon	1	0	0	0
	Without Weapon	0	1	0	1
Number of Forced Moves, incl. Forced Cell Moves <sup>2</sup>		0	0	0	2
Disturbances <sup>3</sup>		0	0	1	0
Number of Times Chemical Agents Used		0	0	0	1
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)	0	0	0	0
	Type (C=Chair, B=Bed, BB=Board, O=Other)	0	0	0	0
Offender / Detainee Medical Referrals as a Result of Injuries Sustained.		0	0	3	1
Escapes <i>J</i>	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances	# Received	0	0	0	0
	# Resolved in Favor of Offender/Detainee	0	0	0	0
Deaths <i>J</i>	Reason (V=Violent, I=Illness, S=Suicide, A=Attempted Suicide, O=Other)	None	None	None	None
	Number	0	0	0	0
Psychiatric / Medical Referrals	# Medical Cases Referred for Outside Care	25	16	17	36
	# Psychiatric Cases Referred for Outside Care	3	4	6	6

<sup>1</sup> Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting

<sup>2</sup> Routine transportation of detainees/offenders is not considered "forced"

<sup>3</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


## 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"/>				
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"/>				
<b>DETAINEE SERVICES</b>									
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"/>				<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 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"/>				
16.	Religious Practices	<input checked="" 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 checked="" type="checkbox"/>
<b>HEALTH SERVICES</b>									
18.	Hunger Strikes	<input checked="" type="checkbox"/>	<input 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"/>				
<b>SECURITY AND CONTROL</b>									
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"/>				<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 Detention)	<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"/>				<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"/>				
<b>ALL FINDINGS OF DEFICIENT AND AT-RISK REQUIRE WRITTEN COMMENT DESCRIBING THE FINDING AND WHAT IS NECESSARY TO REACH COMPLIANCE.</b>									

## RIC REVIEW ASSURANCE STATEMENT

By signing below, the Reviewer-In-Charge (RIC) certifies that:

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  
 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  b6,b7c 
Title & Duty Location  Reviewer in Charge	Date  June 5, 2008

TEAM MEMBERS	
Print Name, Title, & Duty Location  b6 SME - Medical	Print Name, Title, & Duty Location  b6,b7c SME - Security
Print Name, Title, & Duty Location  b6 SME - Food Service	Print Name, Title, & Duty Location  b6,b7c SME - Safety

- RECOMMENDED RATING:**
- SUPERIOR
  - GOOD
  - ACCEPTABLE
  - DEFICIENT
  - AT-RISK

**COMMENTS:** The Kinney County Detention Center does not authorize the use of Tasers in their facility.



# 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) b6,b7c	Sig b6,b7c
Title Acting Chief, Detention Standards Compliance Unit	Date February 2, 2009

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

Comments: The Review Authority concurs with the recommended rating of "Acceptable". A Plan of Action has been received regarding the deficiencies identified in the Environmental Health and Safety, Special Management Unit, Access to Medical Care, and Key & Lock Control Standards. The Review Authority concurs with the Plan of Action and this review is closed.