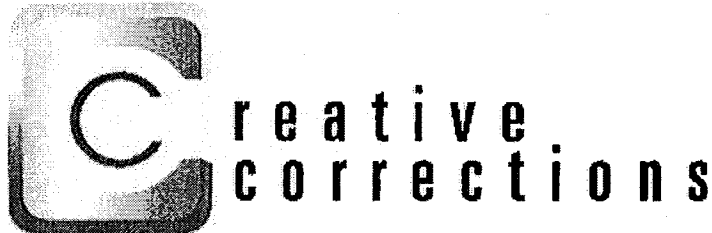

ICE Detention Standards Compliance Review

South Texas Detention Complex

April 14-16, 2009

REPORT DATE – April 23, 2009



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
500 12th Street, SW
Washington, DC 20536

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April 23, 2009

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

FROM:

[REDACTED] *for*
Reviewer-In-Charge

b6, b7c

[REDACTED]
b6, b7c

[REDACTED]
b6, b7c

SUBJECT: South Texas Detention Complex
Annual Detention Review

Creative Corrections conducted an Annual Detention Review of the South Texas Detention Complex, located in Pearsall, Texas, on April 14-16, 2009. As noted on the attached documents, the team of Subject Matter Experts included [REDACTED] b6, Health Services; [REDACTED] b6 Environmental Health and Safety; [REDACTED] b6 Food Service; and [REDACTED] b6, b7c Security.

A final closeout was conducted on Thursday, April 16, 2008 with [REDACTED] b6, GEO, Central Region Vice President; [REDACTED] b6, b7c Assistant Field Office Director; [REDACTED] b6, b7c Supervisory Detention and Deportation Officer; [REDACTED] b6 Health Services Administrator; [REDACTED] b6, b7c GEO, Warden; [REDACTED] b6, b7c Immigration Enforcement Agent/COTR; [REDACTED] b6, b7c Immigration Enforcement Agent; and [REDACTED] b6, b7c, Nakamoto Group; at which time all aspects of the review were discussed.

Type of Review

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

Review Summary

The facility is accredited by the American Correctional Association, and the Joint Commission on Accreditation of Healthcare Organizations. The facility is not accredited by the National Commission on Correctional Health Care.

Standards Compliance

The following statistical information outlined provides a direct comparison of the 2008 ADR and the ADR conducted for 2009.

<u>April 2008</u>	<u>Review</u>
Compliant	37
Deficient	0
At-Risk	0
Non-Applicable	1

<u>April 2009</u>	<u>Review</u>
Compliant	37
Deficient	0
At-Risk	0
Non-Applicable	1

Recommended Rating and Justification

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

RIC Assurance Statement

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

Estimated Man-days Per Year
566,000

B. Current Inspection

Type of Inspection
 Field Office HQ Inspection
Date[s] of Facility Review
April 15-17, 2009

C. Previous/Most Recent Facility Review

Date[s] of Last Facility Review
April 15-17, 2009
Previous Rating
 Superior Good Acceptable Deficient At-Risk

D. Name and Location of Facility

Name
South Texan Detention Center
Address (Street and Name)
566 Veterans Drive
City, State and Zip Code
Pearsall, TX 78061
County
Frio
Name and Title of Chief Executive Officer
(Warden/OIC/Superintendent)
b6, b7c Warden
Telephone # (Include Area Code)
830 b6, b7c
Field Office / Sub-Office (List Office with oversight responsibilities)
San Antonio, TX
Distance from Field Office
60 miles

E. Creative Corrections Review Team

b6, b7c Reviewer-in-Charge,
b6 SME, Safety and Environmental Health
b6 SME, Food Service
b6 SME, Medical
b6, b7c SME, Security

F. CDF/IGSA Information Only

Contract Number ACD 4C 0001	Date of Contract or IGSA January 26, 2004
Basic Rates per Man-Day 1146x\$94.78 and 758x\$10.50	
Other Charges: (If None, Indicate N/A)	

G. Accreditation Certificates

List all State or National Accreditation[s] received:
ACA 2008, JCAHO 2007
 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
May 2005
Date Last Remodeled or Upgraded
August 2006
Date New Construction / Bedspace Added
Future Construction Planned
 Yes No Date:
Current Bedspace | Future Bedspace (# New Beds only)
1,904 | Number: N/A Date:

J. Total Facility Population

Total Facility Intake for previous 12 months
18,940
Total ICE Mandays for Previous 12 months
571,493

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	1,450		
Adult Female	454		

Facility holds Juveniles Offenders 16 and older as Adults

M. Average Daily Population

	ICE	USMS	Other
Adult Male	1,274		
Adult Female	292		

N. Facility Staffing Level

Security: b2High Support:

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Significant Incident Summary Worksheet

For ICE 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.

Incidents	Description	Jan – Mar	Apr – Jun	Jul – Sept	Oct – Dec
		Physical	Physical	Physical	Physical
Assault: Offenders on Offenders ¹	Types (Sexual ² , Physical, etc.)	0	0	0	0
	With Weapon	31	21	31	25
	Without Weapon	0	0	Physical	Physical
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	0	0	0	0
	With Weapon	0	0	3	3
	Without Weapon	9	5	8	10
Number of Forced Moves, incl. Forced Cell moves ³		0	0	0	0
Disturbances ⁴		1	0	0	0
Number of Times Chemical Agents Used		0	0	0	0
Number of Times Special Reaction Team Deployed/Used					
# Times Four/Five Point Restraints applied/used	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	V=Violent Behavior	0	0	0
	Type (C=Chair, B=Bed, BB=Board, O=Other)	1= Five Point	0	0	0
Offender / Detainee Medical Referrals as a result of injuries sustained.		0	0	0	0
Escapes	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances:	# Received	117	190	190	132
	# Resolved in favor of Offender/Detainee	3	15	7	0
Deaths	Reason (V=Violent, I=Illness, S=Suicide, A=Attempted Suicide, O=Other)	Attempted=2	0	Attempted=4	Attempted=4
	Number	0	0	0	0
Psychiatric / Medical Referrals	# Medical Cases referred for Outside Care	0	0	2	1
	# 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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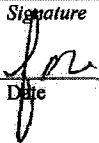
DHS/ICE Detention Standards Review Summary Report						
1. Acceptable	2. Deficient	3. At Risk	4. Repeat Finding	5. Not Applicable		
Legal Access Standards		1.	2.	3.	4.	5.
1.	Access to Legal Materials	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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"/>	
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"/>	<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"/>	<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 checked="" type="checkbox"/>	<input 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 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"/>	<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"/>	<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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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 
Title & Duty Location	Date April 19, 2009
Reviewer-in-Charge	b6, b7c

Team Members	
Print Name, Title, & Duty Location b6, SME, Food Service	Print Name, Title, & Duty Location b6, SME, Safety and Environmental Health
Print Name, Title, & Duty Location b6, SME, Medical	Print Name, Title, & Duty Location b6, b7c, SME, Security

Recommended Rating:

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

Comments