

COMMISSION ON ACCREDITATION FOR CORRECTIONS

TECHNICAL ASSISTANCE REPORT

Willacy County Processing Center
Raymondville, Texas

October 8-9, 2007

VISITING COMMITTEE MEMBER

 Chairperson
Assistant to the Superintendent/ACA Manager
Indian River Juvenile Correctional Facility
2775 Indian River Rd. SW
Massillon, OH 44646
(330) 

A. Introduction

The technical assistance for the Food Service Department of the Willacy Detention Center in Raymondville, Texas was conducted October 8 – 9, 2007 by [REDACTED] b6
The technical assistance was conducted on behalf of the Department of Homeland Security – ICE for the facility that is privately run by MTC – Management & Training Corp.

B. Facility Demographics

Rated Capacity: 2000 detainees

Actual Population: 960 detainees: 730 male & 230 female

Average Length of Stay: Approx. 21 + days

Security/Custody Level: Level 1 & 2 (non-criminal – awaiting deportation)

Age Range of Offenders: All

Gender: Male & Female

Full-Time Staff: ICE Staff – 1 Officer in Charge, 1 Asst. Officer in Charge, 2 Duty Operations Supervisors, 6 Supervisors – Immigration Enforcement Agents, 16 Deportation Officers, 31 Immigration Enforcement Agents, 2 Supervisors, and 11 Deportation & Removal Assistants.

C. Facility Description

MTC was awarded a contract for operations and management of the Willacy County Detention Center by Willacy County, Texas. MTC is responsible for all aspects of detention services including providing security personnel, housing and transportation in compliance with the Intergovernmental Service Agreement between Willacy County and United States Department of Homeland Security, Immigration and Customs Enforcement (ICE). Services are provided in accordance with the most current editions of ICE National Detention Requirements.

ICE required the 2,000 bed facility to be operational within 90 days of contract award. The project was delivered in three operational phases: The first 500 beds in 40 days; 1,000 beds operational in 60 days; and 2,000 beds operational in 90 days. MTC and Hale-Mills Construction completed each phase of the project on time. The fast-track work order came after President Bush provided Congress with his proposed FY2007 budget. In that 28% growth in illegal immigrant bed space for ICE. The architecture, designed for speed of construction is the first of its kind for ICE. The project includes 10 pod-like domes, each housing 200 detainees. The domes are constructed of steel beams covered with a tough synthetic-type fabric. The facility is currently under construction to

construct additional work space & Offices along with an additional 1000 beds, 86 segregation rooms, 2 indoor recreation areas, and a new kitchen and cafeteria.

Willacy is not accredited with the American Correctional Association; however, has plans for the future to pursue accreditation.

D. Pre-Audit Meeting

Due to the nature of the visit, there was not a pre-audit meeting.

E. The Audit Process

1. Transportation – [b6] was picked up Monday morning by [b6] [b6], who was on special assignment from the Port Isabel Detention Center to assist the Willacy Detention Center with developing a corrective action plan to address issues identified in the food service department at the facility.

2. Entrance Interview

There was not a formal Entrance Interview due to the nature of the visit and due to October 8th being the Observed holiday for Columbus Day.

3. Facility Tour

The Auditor was given [b6] facility. [b6] was accompanied by [b6] and [b6, b7c], Supervisor, Detention & Deportation Officer. Food Service Administrator, [b6], joined the tour of the Food Service department.

F. Food Service Technical Assistance

1 Purpose of Technical Assistance:

The technical assistance visit was requested by the Department of Homeland Security – Immigration & Customs Enforcement on behalf of the Willacy Detention Center, which is a private-run facility by Management & Training Corporation (MTC). The request was in response to media reports which were reporting conditions of the facility for immigrants, specifically the food service department. Immigrants reported maggots in the food as well as reporting that the quality and quantity of food was deplorable.

2. Overview of Food Service Department: The Food Service Department serves 3 meals: Breakfast, Lunch, & Dinner. The menu is a 5-week cycle menu that has been reviewed and approved by a Contract Registered Dietitian. The department feeds the detainees via satellite. The meals are prepared, assembled, and packaged in Thermal Trays and delivered to the pods. The food trays are passed

out to the detainee's on unit where the meal is consumed. Religious & Medical Diets are also prepared as prescribed.

3. Observations & Recommendations:

There was standing water throughout the department due to poor drainage. It is recommended that a wet-vacuum be purchased to assist in reducing the excess water on the floor. The water presents a safety issue for staff that may slip & fall as well as attracting gnats, which were observed in the dish room and food prep areas. Self-contained bug lights were recently installed in the kitchen. Sufficient drainage should be considered as the new food service department is constructed.

Cooler temperatures were not within acceptable range according to ACA standard as well as the Texas Department of Health Standards. Acceptable Cooler temperature range is 35 to 40 degrees. In reviewing temperature logs, there were several entries that reported the cooler in the kitchen was above 40 degrees. Additionally, the freezer, cooler, & dry storage temperatures were being recorded on Dish machine Final Rinse Temperature logs. Note: The temperature logs were replaced following discussion of the temperature logs. It is also encouraged that the facility ensure that the coolers & freezers be a part of a Preventative Maintenance plan to ensure efficient operation of the equipment, including an inspection of the condensing units and gaskets around the doors. Gaskets should be cleaned & sanitized as needed. A second thermometer should be laced inside the cooler as a secondary source for monitoring the temperature.

Limited Storage – foods in the dry storage area as well as the freezer are stacked too high. The boxes on the bottom of those stacks are collapsing and/or crushing. The facility currently receives food orders twice per month. It is recommended that the facility consider ordering weekly to alleviate the limited storage. The storage and coolers were clean and stored properly – 6” off the floor and 18” from the ceiling. Continue to ensure that foods are rotated. The temperatures of the freezer and dry storage areas were well within acceptable standards.

Satellite Feeding – Observed assembly & delivery of food. Food temperatures are taken by the security or food service staff and logged before & during the assembly of the trays to ensure that they are within acceptable food standards. Staff were observed wearing proper hair restraints and food handling gloves. One concern observed was that the food was being portioned into damp food trays. While observing the tray assembly, it was observed that dry bread was being placed in a damp compartment, thus causing the bread to absorb the water. Trays were damp due to the final rinse temperature of the dish machine not meeting the required 180 degree temperature. Food Service Administrator reported that he has placed several maintenance work orders for the final rinse temperature. It is recommended that the final rinse temperature be corrected and a rinse dry agent be added.

Cups – beverage cups are placed in plastic bags in quantity of 50. Moisture was observed in the plastic bags containing the cups. Temperature & moisture are 2 conditions ideal for the growth of bacteria. It was recommended that an alternative way of storing and delivering cups to the pods be considered. It was suggested that the cups be placed in racks or paper/Styrofoam cups be considered.

Chemical Storage – a limited amount of chemicals for the Food Service Department is stored in the Laundry Department. All chemicals were properly stored, labeled, and inventoried. MSDS Sheets were readily available. It is encouraged that the facility maintains the perpetual inventory on a daily basis. An aerosol can of Solarcaine was found in the Dry Storage area with the First Aid kits. Aerosols are discouraged due to their flammability. According to an MSDS Sheet for Solarcaine, it contains isobutene and propane. This item should be stored in a flammable cabinet if the facility continues to stock this product. Burn Creams are available and is recommended as a safer alternative.

Electrical Panels – Open electric panels in a high traffic area is not the ideal location and/or situation. With the high traffic, transportation of metal carts, and water on the floor, presents a concern for employee safety. It was also noted that excess water was seeping through the walls and out into the hallway outside of the Food Service Department. Electrical Panels should have a 2 ½ foot clearance in accordance with OSHA.

1910.306(b) (4) Clearance. The dimension of the working space in the direction of access to live part that may require examination, adjustment, servicing, or maintenance while alive shall be a minimum of 762 mm (2.5 ft). Where controls are enclosed in cabinets, the doors shall either open at least 90 degrees or be removable.

Cambro Drink Containers – Cambro Beverage containers are used to transport and dispense beverages to the detainee's. The Food Service Administrator, Mr. (b)(6) reported that the containers are cleaned every other day. Ideally, the containers should be washed after each use.

Cycle Menu – The menu is based on a 5-week cycle menu, which has been reviewed and approved by a Registered Dietitian. Weeks 1, 3, & 5 are the same as well as Weeks 2 & 4. In essence, this represents a 2-week cycle menu. With Weeks 1 & 5 being the same, detainees are served the same menu two consecutive weeks. ACA standards require “determination of and responsiveness to inmate eating preferences” (4-ALDF-4A-05). It is recommended that detainees and staff be surveyed quarterly for input on the menus. In addition, “Menu evaluations are conducted at least quarterly by food service supervisory staff to verify adherence to the established basic daily servings” (4-ALDF-4A-07), which is currently not done at the facility. The facility was not able to provide a nutritional analysis of the menu upon request. Additional information will be provided with the Detainee interviews.

Tool Control – the tool storage area is located in a caged area of the Dry Storage room. This is a restricted area with access limited. Knives are in a locked cabinet and all tools are labeled, numbered, and shadowed. Tools are signed in/out using the Chit system as well as logged on a sign in/out sheet. The chits are a laminated picture of the staff member.

Some tools are no longer in use or out of service and should be tagged as such on the shadow board so it is not confused as a missing tool.

4. Meals – Assembly of trays for lunch and dinner was observed. The lunch Menu was Chicken & Vegetables with White Rice, Lettuce, Yellow Cake, and Beans with turkey ham. Fruit punch was served on unit along with the meal. Dinner was Chicken Salad with White Bread, Raw Carrot slices, pudding, Lettuce, and Onions & Pickles.

Review of Standards:

Standard #4A-05

“Determination of & responsiveness to inmate eating preferences”– facility is encouraged to interview/survey detainees for input on the menus.

Standard #4A-07 (Mandatory)

“Menu evaluations are conducted at least quarterly by food service supervisory staff to verify adherence to the established basic daily servings”. Facility is not completing menu evaluations at this time. Facility is encouraged to complete menu evaluations as standard recommends.

Standard #4A-11 (Mandatory)

There is documentation by an independent, outside source that food service facilities and equipment meet established governmental health and safety codes. Corrective action is taken on deficiencies, if any”. Recent health inspection had several corrective actions. It is encouraged that any time a deficiency is noted in a health inspection, the Food Service Administrator in consultation with the facility administrator, should develop a corrective action plan and document that the deficiency has been corrected.

Standard #4A-12

“All staff, contractors, and inmate workers are trained in the use of equipment safety procedures to be followed in the food service department.” Continue to document all food service related training including the use & cleaning of all equipment on an annual basis. Keep in mind ACA Standard 1D-11, which requires 16 hours of annual training for Food Service staff.

Standard #4A-16 Mandatory

““Stored shelf goods are maintained at 45 degrees to 80 degrees Fahrenheit, and frozen foods at 0 degrees Fahrenheit or below, unless national or state health

codes specify otherwise”. “Temperatures are checked and recorded daily.” Correction action is recommended on coolers when temperatures are noted above 40 degrees.

Standard #4A-17

“Meals are prepared, delivered, and served under staff supervision”. Please note Texas Health Law regarding “Person-in-charge”. Ensure adequate training is conducted that meets the requirements of “Person in charge” 229.163c of the Health laws.

G. Interviews

Following lunch, interviews of the detainee’s were conducted. [REDACTED] b6 and [REDACTED] b6, b7c accompanied the auditor to conduct the interviews. [REDACTED] b6 served as [REDACTED] for the interviews as a majority of the Detainees do NOT speak English fluently. Detainee’s were asked for their Opinion and input on the food served at Willacy.

1. Female Detainee Responses:

Too many sandwiches and no condiments (ketchup, mustard, mayo) too many onions – onions smell up the food & tray no variety – they serve the same food all the time too many eggs – would like some variety. Would like to have cheese and jalapeno peppers, and tomatoes/salsa added to the Scrambled Eggs. Delicious. Grateful for the food. Love it!

2. Male Detainee Responses

Not as good; today was ok.
Too many sandwiches (Cold Cuts)
Too many eggs
Rice – over/under cooked
Want more coffee
Vegetarian reports no variety. Lunch today was Baked potato & Rice
Salad – no dressing
Bland – no spice/enhancements
Cups & spoons – not washed properly
Want more than just white bread for sandwiches – want more tortillas
Milk is outdated – beyond dates
Would like to supplement food from commissary – i.e. Cup-a-Soup & Ramen Noodles.

3. Suggestions:

Recommend a 4 week Cycle Menu (this accommodates the 21 day average Length of Stay. Ensure all 4 weeks are different.

Enhance Meals – Put icing on cake; add condiments to sandwiches; rotate white/wheat bread, tortilla to make Wrap Sandwiches, Hamburger Buns, Croissants, etc.

Survey the detainee’s and staff for input in developing menu.

Use Standardized Recipes to ensure consistency in products as well as control food costs.

Allow Food Service staff flexibility to switch up food items to enhance the meal.

Concern: While interviewing the detainee’s, we were secured on one of the pods. When we were ready to leave, the staff remaining on the unit did NOT have a key to let us out. The staff had to radio to another security officer to come let us off the unit. This is not only a safety concern, it is a legal liability. Staff on each unit should have a key to exit the unit. If a fire were to break out, the staff and detainees would be trapped until a staff member let them out. Furthermore, if a riot or hostage situation were to take place, the staff would be unable to get away. It is an area of concern that the facility is encouraged to take into consideration and develop an action plan to address this issue. (b)(6), b7c and (b)(6) informed me that this is the practice and not an isolated incident.

H. Exit Discussion

The exit interview was held at 9:45 a.m. in the Conference Room.

The following persons were also in attendance:

(b6, b7c) Supervisor, Detention & Deportation Officer
(b6) Food Service Assistant Supervisor
(b6) Jr., Food Service Administrator
(b6, b7c) Acting Officer in Charge
(b6) QA Coordinator
(b6, b7c) Supervisor Detention & Deportation Officer
(b6) ICE PIDC Supervisory Cook
(b6, b7c) Detention, Operations Supervisor
(b6, b7c) Supervisory Immigration Enforcement Agent

The chairperson thanked the Administrators of ICE for involving the American Correctional Association (ACA) with the technical assistance of the Food Service Department at Willacy Detention Center. The purpose of this technical assistance was to conduct an inspection and assist the facility in developing an action plan to address any deficiencies. The issues reported by the media were not observed during this technical assistance. While there are many improvement opportunities based on the recommendations made during this technical assistance; however, conditions were not as bad as the media had portrayed. It is evident that the media took a small part of the

situation and highlighted the isolated report of maggots and portrayed it as more than what it really was. Conditions were not found to be in deplorable conditions as reported.

The Auditor shared his observations and recommendations with the staff in attendance. The Department of Homeland Security – ICE has agreed in conjunction with the staff of MTC, to address all issues noted. The facility was encouraged to pursue accreditation following the completion of their construction and expansion projects. A follow up phone call from Mr. (b)(6) following the Technical Assistance has assured this auditor that the facility has addressed many of the recommendations and has made initial attempts to work with the Dietitian on the cycle menu. The staff of ICE & MTC were very receptive and cooperative throughout the entire technical assistance.

The chairperson expressed appreciation for the cooperation of everyone concerned and congratulated the facility team for the progress made and encouraged them to continue to strive toward even further professionalism within the correctional field.