
ICE Detention Standards Compliance Review

Ector County Detention Center

February 19-20, 2008

REPORT DATE – February 28, 2008



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

b6 [redacted] Executive Vice President
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February 29, 2008

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

FROM:

[Redacted] b6,b7c for [Redacted] b6,b7c
Reviewer-In-Charge
Creative Corrections

SUBJECT: Ector County Detention Center Annual Detention Review

Creative Corrections conducted an Annual Detention Review (ADR) of the Ector County Detention Center, located in Odessa, Texas, on February 19-20, 2008. The facility is operated by the County of Ector, Texas, which has an Intergovernmental Services Agreement with the United States Marshals Service. As noted on the attached documents, my team of Subject Matter Experts included: [Redacted] b6,b7c Security; [Redacted] b6 Health Services; [Redacted] b6,b7c Safety; and [Redacted] b6 Food Services. A closeout meeting was conducted with Sheriff Mark Donaldson and Captain [Redacted] b6,b7c on February 20, 2008, that included a discussion of all deficiencies, concerns, and recommendations noted during this review.

Type of Review:

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

Review Summary:

The facility is currently accredited by the Texas Commission on Jail Standards.

Standards Compliance:

The following statistical information provides a direct comparison of the 2006 ADR and this ADR conducted for 2008.

<u>December 19, 2006 Review</u>		<u>February 19-20, 2008 Review</u>	
Compliant	26	Compliant	26
Deficient	1	Deficient	1
At-Risk	0	At-Risk	0
Not-Applicable	1	Not-Applicable	1

Environmental Health and Safety – Deficient

The Ector County Detention Center does not control flammable, toxic, and caustic materials through a hazardous materials program. The following issues were of concern in this program:

- There are no inventories of any chemicals except for food service.
- There are no Material Safety Data Sheets (MSDS) for any chemicals except in food service.
- MSDSs were not readily accessible to staff and detainees in their work areas.
- The fire plan does not address the following required topics:
 - Monthly fire inspections
 - Strategic location of fire protection equipment throughout the facility
 - Public posting of emergency plans with accessible building/room floor plans
 - Area-specific exit diagram conspicuously posted in diagramed areas
- There is no written procedure to regulate the handling and disposal of used needles and other sharp objects.

RECOMMENDATIONS:

- Develop and maintain constant chemical inventories.
- Obtain up-to-date Material Safety Data Sheets on all chemicals.
- Insure MSDS's are readily accessible to staff and detainees in their work areas.
- Have the Fire Plan address monthly fire inspections.
- The Fire Plan should also include the strategic location of fire protection equipment throughout the facility.
- There should be public posting of emergency plans with accessible building/room floor plans.
- Provide area-specific exit diagrams conspicuously posted in diagramed areas.
- Develop written procedure to regulate the handling and disposal of used needles and other sharp objects.

RIC Issues and Concerns

Detainee Handbook

The Detainee Handbook for Ector County Detention Center consists of a three-page document referred to as Jail Rules that consists of minor and major infractions, brief jail regulations, the visiting policy, inmate discipline and grievances. The final half page of this document serves to document date of issue and signature receipt with a copy going to the central file of each inmate/detainee. The Jail Rules do not address the initial issue of clothing, bedding, or personal hygiene items; when medical examinations will be conducted; the telephone policy; search procedures; and the contraband policy. All of these subjects are required by ICE to be in detainee handbooks. ICE has a National Detainee Handbook dated November 2007, that if used by this facility, would fully accomplish the intent of this requirement. A copy of this ICE

document was provided to Lt. [b6,b7c] and he indicated this would be incorporated into their system of policy and controls.

Furthermore, since the Jail Rules document is the sole method of orientation for the general population of this facility, it is recommended that a similar rewrite of this document be done to expand and include many if not all of the ICE required subject matter. This would serve to better inform the general population and may impact positively on a reduction of what are now considered grievances.

Recommended Rating and Justification

It is the Reviewer-in-Charge (RIC) 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 implement necessary corrective actions.

RIC Assurance Statement

All findings of this review have been documented on the Detention Review Worksheet and are supported by the written documentation contained in the review file.



DETENTION FACILITY INSPECTION FORM

FACILITIES USED LESS THAN 72 HOURS

A. TYPE OF FACILITY REVIEWED

<input type="checkbox"/>	ICE Service Processing Center
<input type="checkbox"/>	ICE Contract Detention Facility
<input checked="" type="checkbox"/>	ICE Intergovernmental Service Agreement

Other Charges: (If None, Indicate N/A) ; ; ; <input checked="" type="checkbox"/> N/A
Estimated Man-days per Year 52

B. CURRENT INSPECTION

Type of Inspection <input type="checkbox"/> Field Office <input checked="" type="checkbox"/> HQ Inspection
Date[s] of Facility Review February 19-20, 2008

G. ACCREDITATION CERTIFICATES <input type="checkbox"/> N/A
List all State or National Accreditation[s] received: Texas Commission on Jail Standards

C. PREVIOUS/MOST RECENT FACILITY REVIEW

Date[s] of Last Facility Review December 19, 2006
Previous Rating <input type="checkbox"/> Superior <input type="checkbox"/> Good <input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Deficient <input type="checkbox"/> At-Risk

H. PROBLEMS / COMPLAINTS (COPIES MUST BE ATTACHED)
The Facility is under Court Order or Class Action Finding <input type="checkbox"/> Court Order <input type="checkbox"/> Class Action Finding
The Facility has Significant Litigation Pending <input type="checkbox"/> Major Litigation <input type="checkbox"/> Life/Safety Issues
<input checked="" type="checkbox"/> None

D. NAME AND LOCATION OF FACILITY

Name Ector County Detention Center
Address 2500 S Highway 385 (PO Box 2066)
City, State and Zip Code Odessa, Texas 79761
County Ector
Name and Title of Chief Executive Officer (Warden/OIC/Superintendent) Mark Donaldson Sheriff
Telephone Number (Include Area Code) 432- b6,b7c
Field Office / Sub-Office (List Office with Oversight) El Paso, Texas
Distance from Field Office 290 Miles

I. FACILITY HISTORY
Date Built 1994
Date Last Remodeled or Upgraded 1996
Date New Construction / Bed Space Added 1996
Future Construction Planned <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date:
Current Bed space 667
Future Bed Space (# New Beds only) Number: Date:

E. CREATIVE CORRECTIONS INFORMATION

Name of Inspector (Last Name, Title and Duty Station) b6,b7c / RIC / Creative Corrections
Name of Team Member / Title / Duty Location b6 SME / Medical
Name of Team Member / Title / Duty Location b6,b7c / SME / Safety
Name of Team Member / Title / Duty Location b6,b7c SME / Security
Name of Team Member / Title / Duty Location b6 SME / Food

J. TOTAL FACILITY POPULATION
Total Facility Intake for Previous 12 months 10,272
Total ICE Man Days for Previous 12 months 52

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	528	528	528
Adult Female	139	139	139
<input type="checkbox"/> Facility Holds Juveniles Offenders 16 and Older as Adults			

M. AVERAGE DAILY POPULATION	ICE	USMS	Other
Adult Male	4.3	5	443
Adult Female	0	25	64

F. CDF/IGSA INFORMATION ONLY

Contract Number 80-97-0007	Date of Contract or IGSA May 25, 2001
Basic Rates per Man-Day \$40.87	

N. FACILITY STAFFING LEVEL	
Security: b2High	Support:

~~FOR OFFICIAL USE ONLY (LAW ENFORCEMENT SENSITIVE)~~

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
Assault: Offenders on Offenders ¹	Types (Sexual ² , Physical, etc.)	P	P	P	P
	With Weapon	0	0	0	0
	Without Weapon	9	29	39	23
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	0	0	0	S
	With Weapon	0	0	0	0
	Without Weapon	0	0	0	1
Number of Forced Moves, incl. Forced Cell Moves ³		0	0	0	0
Disturbances ⁴		0	1	1	2
Number of Times Chemical Agents Used		20	29	26	21
Number of Times Special Reaction Team Deployed/Used		0/0	0/0	1/0	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	5	5	4
Escapes	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances:	# Received	226	639	535	386
	# Resolved in Favor of Offender/Detainee	*	*	*	*
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	39	94	112	83
	# Psychiatric Cases Referred for Outside Care	40	63	69	91

* Unable to obtain this information because the facility does not keep a grievance log.

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.

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. Visitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Telephone Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
DETAINEE SERVICES									
3. Admission and Release	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Classification System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Detainee Handbook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Food Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Funds and Personal Property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Detainee Grievance Procedures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
9. Issuance and Exchange of Clothing, Bedding, and Towels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
10. Religious Practices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
HEALTH SERVICES									
11. Medical Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
12. Suicide Prevention and Intervention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
SECURITY AND CONTROL									
13. Contraband	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
14. Detention Files	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
15. Disciplinary Policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
16. Emergency Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
17. Environmental Health and Safety	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
18. Hold Rooms in Detention Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
19. Key and Lock Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
20. Population Counts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
21. Security Inspections	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
22. Special Management Units (Administrative Detention)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
23. Special Management Units (Disciplinary Segregation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
24. Tool Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
25. Transportation (Land management)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
26. Use of Force	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
27. Staff / Detainee Communication (Added August 2003)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
28. Detainee Transfer (Added September 2004)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

ALL FINDINGS OF DEFICIENT AND AT-RISK REQUIRE WRITTEN COMMENT DESCRIBING THE FINDING AND WHAT IS NECESSARY TO REACH COMPLIANCE.

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) <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div>	Signature <div style="background-color: black; color: white; padding: 2px; display: inline-block;">b6,b7c</div>
Title & Duty Location RIC, Creative Corrections	Date February 19-20, 2008

TEAM MEMBERS	
Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6</div> SME/ Medical	Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div> SME/ Safety
Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div> SME/ Security	Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6</div> SME/Food

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

COMMENTS: The number of grievances reported is skewed. This facility logs and treats any detainee request to staff member as a grievance. Our review of the actual files found that the number of real grievances would be, in most cases, fewer than 10 per month. The vast majority are simply requests to staff members for information.