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July 23, 2008

MEMORANDUM FOR:

James T. Hayes, Jr.

Acting Director

Office of Detention and Removal Operations

FROM:

Reviewer-In-Charge

SUBJECT:

Joe Corley Detention Facility Headquarters Review (Over-72)

Creative Corrections conducted the Pre-Activation Detention Assessment (PADA) of the Joe Corley Detention Facility (JCDF), located in Conroe, Texas, on July 15-17, 2008. ICE is contemplating a contract with GEO Corporation to house detainees. As noted in attached documentation, my team of Subject Matter Experts (SME) included Health b6,b7c Safety SME; b6 Food Services SME; and Services SME: Security SME.

A closeout meeting was conducted on July 17, 2008 with Warden b6,b7c Compliance Officer; b6,b7c Assistant Field Office Director; and ICE Agent, during which all deficiencies, concerns, and recommendations were discussed.

Facility History

The facility is newly constructed in Montgomery County, Texas, and operated by GEO Corporation. It is an 1100 bed facility with both dormitories and individual cells (in specified areas) and designed to house lower, security level detainees. The county health department issued a food permit and certified the facility's health care operation on June 19, 2008. The facility received a Certificate of Occupancy on July 1, 2008 from authorized city officials.

The facility is operated by GEO Corporation, which has a contract with Montgomery County who will maintain as an IGSA should a contract with ICE be awarded.

Construction of a 1,100-bed facility was recently completed. Within this facility 100 beds are designed to house High security detainees. The remaining 1,000 beds will house detainees in dormitory style housing units.

Type of Review

This review is an unscheduled Detention Standard Review with ICE National Detention Standards for facilities used over 72 hours, to determine activation readiness at this facility.

Review Summary

The JCDF is not accredited by American Correctional Association (ACA), National Commission on Correctional Health Care (NCCHC), or the Joint Commission on Accreditation of Healthcare Organizations (JCAHO). The Facility has been accredited by the Texas Jail Commission.

Standards Compliance

This facility has been just recently been constructed, therefore, previous Standards Compliance statistical data does not apply to this review.

RIC Issues and Concerns

Life Safety

The Joe Corley Detention Facility Center is not fully equipped with a sprinkler system and therefore, not compliant with NFPA requirements (Life Safety Code 101, Chapter II, New Detention/Correctional Occupancies, Sect. 22.3.5.2). No sprinklers were installed in any of the 80 dorms or 100 single cells. Administrative offices, corridor areas, dorm common areas, and select cells in the holding and hospital areas have sprinkler protection. This fire suppression design was developed on November 2, 2006, during a meeting of the Texas Commission on Jail Standards, when a waiver was granted to approve Montgomery County's request that sprinklers NOT be required in inmate housing areas in the new jail. (The Conroe Fire Department conversely requested sprinklers be installed throughout all building areas.) The facility has smoke detection throughout, a smoke extraction system, strobe and audio fire alarms, fire hoses, fire extinguishers and cameras.

There are no approved fire prevention and evacuation plans. The total fire plan should be approved by the fire department providing services to the facility. Further, fire exit diagrams and evacuation plans should be developed and appropriate signage posted in the facility.

Policy Development

The team completed a review of corporate policies provided by the GEO Cooperation. GEO should systematically develop site-specific policy for the JCDF, incorporating ICE standards as they apply to each area. Policies should then be submitted to ICE for approval. Many local policies and procedures have yet to be drafted and local procedures for many programs and

services were not developed to the point of affording them any meaningful critical review. Those programs and services for which policy and protocols are not available are: Detainee Handbook, Suicide Prevention / Intervention, Hunger Strikes, Post Orders, Key/Lock Control (the facility is transitioning from the master lock/key system in place during construction), Food Service menus, common fare program and standard operating procedures, and Emergency Plans, to name a few. All told, about 85% of local policy remains underdeveloped.

Physical Plant

The facility's perimeter fence should be secured with a concrete footer. The fence is anchored by posts set in concrete, and a fence rail secures the bottom portion of fence. The perimeter fence is protected by interior fence alarm, which was not operational during review.

The sallyport windows, located by Central Control, should be fortified with security bars. The entrance door to the Bus Bay should be equipped with security bars to enhance overall security.

Operational Features

Housing unit telephones are installed, were but not operational during the review. Phones should be programmed with access numbers as required by ICE standards.

There should be a contract with a community hospital for outpatient/inpatient detainee care.

The ICE required notifications should be posted in the living units.

Law library use, including the Lexis Nexis program (provided by ICE), should be provided specifically for ICE detainees.

Facility management should specify that detainees undergo a strip search when cause has been established, not as a matter of routine.

Facility policy should direct that tools be marked so they are readily identifiable. Proper tool storage and accountability measures should comply with ICE standards.

Staff Training

As local policies, procedures, and practices are developed, staff training should be ongoing. Familiarization with GEO policy has benefits in terms of general philosophy. Further training and application of site-specific protocols will enable the staff to perform in the best possible manner as detainees arrive.

Local staff should be properly trained and qualified to facilitate the land transportation of detainees, as they intend per their activation plan.

Recommended Rating and Justification

A presumptive rating of "Acceptable" is recommended by the RIC contingent upon submittal of a viable Plan of Action by JCDF to ICE, addressing all RIC issues and concerns. With implementation of suggestions by the RIC, it is recommended the JCDF be used by ICE.

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	Other Charges: (If None, Indicate N/A)
☐ ICE Service Processing Center	; ; N/A
☐ ICE Contract Detention Facility☐ ICE Intergovernmental Service Agreement	Estimated Man-days Per Year
	N/A
B. CURRENT INSPECTION	G. ACCREDITATION CERTIFICATES N/A
Type of Inspection	List all State or National Accreditation[s] received:
Field Office HQ Inspection	Texas State Jail Commission July 2008
Date[s] of Facility Review	H. PROBLEMS / COMPLAINTS (COPIES MUST BE ATTACHED)
July 15-17, 2008 Initial Review	The Facility is under Court Order or Class Action Finding
C Departure /Moore Descripte Except the Departure	Court Order Class Action Finding
C. PREVIOUS/MOST RECENT FACILITY REVIEW Date[s] of Last Facility Review	The Facility has Significant Litigation Pending
N/A	Major Litigation Life/Safety Issues
Previous Rating	None
Superior Good Acceptable Deficient A	
	I. FACILITY HISTORY
D. NAME AND LOCATION OF FACILITY	Date Built
Name	2008
Joe Corely Detention Facility	Date Last Remodeled or Upgraded
Address	N/A
500 Hilbig Road	Date New Construction / Bed Space Added
City, State and Zip Code	N/A
Conroe, TX	Future Construction Planned
County	Yes No Date:
Montogmery	Current Bed space Future Bed Space (# New Beds only)
Name and Title of Chief Executive Officer	1100 Number: N/A Date:
(Warden/OIC/Superintendent)	I Was a Francisco December 1
Warden b6,b7c	J. TOTAL FACILITY POPULATION
Telephone Number (Include Area Code)	Total Facility Intake for Previous 12 months N/A
936 b6,b7c	Total ICE Man Days for Previous 12 months
Field Office / Sub-Office (List Office with Oversight)	N/A
Houston, Tx	IVA
Distance from Field Office	K. CLASSIFICATION LEVEL (ICE SPCs AND CDFs ONLY)
30 miles	L-1 L-2 L-3
E. CREATIVE CORRECTIONS INFORMATION	Adult Male N/A N/A N/A
Name of Inspector (Last Name, Title and Duty Station)	Adult Female N/A N/A N/A
b6,b7c RIC /	
Name of Team Member / Title / Duty Location	L. FACILITY CAPACITY
SME Medical / 1	Rated Operational Emergency
Name of Team Member / Title / Duty Location	Adult Male N/A N/A N/A
SME Food Service /	Adult Female N/A N/A N/A
Name of Team Member / Title / Duty Location	☐ Facility Holds Juveniles Offenders 16 and Older as Adults
b6,b7c SME Safety /	M. AVERAGE DAILY POPULATION
Name of Team Member / Title / Duty Location	ICE USMS Other
b6,b7c / SME Security /	Adult Male N/A N/A N/A
Name of Team Member / Title / Duty Location	Adult Female N/A N/A N/A
	Addit I Gindle IVA IVA IVA
E CDE/ICCA Innonation Office	N. FACILITY STAFFING LEVEL
F. CDF/IGSA INFORMATION ONLY	Security: Support:
Contract Number Date of Contract or IGSA	A b2High
Basic Rates per Man-Day	1 .

N/A

SIGNIFICANT INCIDENT SUMMARY WORKSHEET

In order for Creative Corrections to complete its review of your facility, you <u>must</u> 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:	Types (Sexual ² , Physical, etc.)	0	0	0	0
Offenders on Offenders ¹	With Weapon	0	0	0	0
	Without Weapon	0	0	0	0
Assault:	Types (Sexual Physical, etc.)	0	0	0	0
Detainee on Staff	With Weapon	0	0	0	0
	Without Weapon	0	0	0	0
Number of Forced Moves, incl. Forced Cell Moves ³		0	0	0	0
Disturbances ⁴		0	0	0	0
Number of Times Chemical Agents Used		0	0	0	0
Number of Times Special Reaction Team Deployed/Used		0	0	0	0
# Times Four/Five Point	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	0	0	0	0
Restraints Applied/Used	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	0	0
Escapes	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	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	0	0	0	0
	# Psychiatric Cases Referred for Outside Care	0	0	0	0

Routine transportation of detainees/offenders is not considered "forced"

Any attempted physical contact or physical contact that involves two or more offenders

Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting

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. Ac	CCEPTABLE	2. DEFICIENT	3. AT-RISK	4. REPEAT FINDING	5. NOT APPLICABLE				
LEGA	AL ACCESS	STANDARDS				1.	2.	3. 4	. 5.
1.	. Access to Legal Materials								
2.	-	entations on Legal Ri	ghts			\square			
3.	Visitation								
4	Telephone					\boxtimes			
	AINEE SERV	ICES		·					
5.	Admission	and Release				\square]
5.	Classificati	•				\boxtimes			
7.	-	lence and Other Mail				\boxtimes			
8.	Detainee H								
9.	Food Servi					\boxtimes			
10.		Personal Property				\boxtimes			<u>] </u>
11.		rievance Procedures				\boxtimes			
12.	Issuance ar	d Exchange of Clothi	ing, Bedding, and To	wels		\boxtimes			
13.	Marriage R								
14.	Non-Medic	al Emergency Escort	ed Trip] [
15.	Recreation					\boxtimes			
16.	Religious F	ractices							
17.	Voluntary '	Work Program				\boxtimes			
HEA	LTH SERVIC	CES							
18.	Hunger Str	ikes							
19.	Medical Care								
20.	Suicide Prevention and Intervention								
21.	Terminal Illness, Advanced Directives and Death								
SECU	IRITY AND (CONTROL	*						
22.	Contrabanc	1							
23.	Detention Files								
24.	Disciplinary Policy								
25.	Emergency Plans								
26.	Environmental Health and Safety								
27.	Hold Rooms in Detention Facilities								
28.	Key and Lo	ock Control				\boxtimes			
29.	Population	Counts				\boxtimes			
30.	Post Order	S							
31.	Security In	spections							
32.	Special Ma	nagement Units (Adı	ministrative Detentio	n)		\boxtimes			
33.	Special Management Units (Disciplinary Segregation)								
34.	Tool Control								
35									
36.	Use of Force								
37.	Staff / Detainee Communication (Added August 2003)				7				
51.		and Communication	(Added August 200	<i>'3)</i>					

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:

- 1. 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
- 2. 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.

$oldsymbol{R}$	eviewer-In-Charge
Reviewer-In-Charge: (Print Name)	Signature
b6,b7c	b6,b7c
Title & Duty Location	Date
	July 23, 2008
	TEAM MEMBERS
Print Name, Title, & Duty Location	Print Name, Title, & Duty Location
SME Medical	b6,b7c SME Safety
Print Name, Title, & Duty Location	Print Name, Title, & Duty Location
SME Food Service	b6,b7c SME Security
RECOMMENDED RATING: Superior	
GOOD	
ACCEPTABL	Г
	JL Comments and the second sec
DEFICIENT	
AT-RISK	

COMMENTS: A presumptive rating of "Acceptable" is recommended by the RIC. This rating anticipates a viable plan of action submitted by the facility to ICE in correction of those areas of concern pointed out by the RIC, which ultimately brings the facility into compliance with ICE standards.