

December 11, 2020

TO: [REDACTED]
Assistant Director for Detention Management

FROM: [REDACTED]
Lead Compliance Inspector
The Nakamoto Group, Inc.

SUBJECT: **Annual Inspection of the York County Prison**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2008 with SAAPI 2011 of the York County Prison in York, Pennsylvania during the period of December 9-11, 2020. This is an IGSA facility.

The annual inspection was performed under the guidance of [REDACTED], Lead Compliance Inspector. Team members were:

Subject Matter Field	Team Member
Detainee Rights	[REDACTED]
Security	[REDACTED]
Medical Care	[REDACTED]
Medical Care	[REDACTED]
Safety	[REDACTED]

Type of Inspection

This is a scheduled annual inspection which is performed to determine overall compliance with the ICE PBNDS 2008 for Over 72-hour facilities. The facility received a rating of Meets Standards during the October 2019 annual inspection.

Inspection Summary

The York County Prison is currently accredited by:

- The American Correctional Association (ACA) - No
- The National Commission on Correctional Health Care (NCCHC) - Yes
- The Joint Commission (TJC) - No
- Prison Rape Elimination Act (PREA) - Yes

Standards Compliance

The following information is a summary of the standards that were reviewed and overall compliance that was determined as a result of the 2019 and 2020 PBNDS annual inspections:



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2019 Annual Inspection	
Meets Standards	40
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	1

2020 Annual Inspection	
Meets Standards	39
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	2

The inspection team identified eleven (11) deficient components in the following two (2) standards:

Environmental Health and Safety – 4

Food Service – 7, three (3) are repeat deficiencies, two (2) are Priority components

Facility Snapshot/Description

The York County Prison is located in York, Pennsylvania, which is located 100 miles west of Philadelphia. The facility is owned by York County and operated under the jurisdiction of the York County Prison Board (a seven-member board).

The remaining detainees were from York County and the State of Pennsylvania Department of Corrections.

ICE detainees comingle with non-ICE detainees of compatible custody levels.

COVID-19 NOTE: On the first day of the inspection, December 9, 2020, there were nine active COVID-19 cases. On the last day of the inspection, December 11, 2020, there were 46 active cases, with over sixty COVID-19 test results pending.

The facility opened in 1979. It is one two-story building interconnected by multiple corridors and divided into five operational zones; the complex is large. It has over 550,000 square feet under one roof and measures over a one-quarter mile from end to end. The perimeter of the compound is comprised of exterior building walls and one or two fencing runs of twelve-foot chain link sections, which are enhanced with razor ribbon on top and bottom. The interior fence line is set on top of a buried rat wall. The grounds are encircled by a perimeter road/path that is foot patrolled by an armed officer at least once per shift. Surveillance cameras offer visibility around the entire perimeter. All exterior building doors and security gates and doors are under constant camera surveillance and controlled by central control staff. The facility is equipped with a surveillance camera network that is monitored 24 hours a day. It offers sightlines into each housing unit, the common areas, down the movement corridors, and the four entrance lobbies, and the main front door.

The facility has 54 individual general population housing units/pods configured into dormitory and cell designs, which range in capacity from 16-64 beds. There is one special management unit (SMU) comprised of forty cells with either one or two beds in each. The SMU holds disciplinary and administrative segregation status detainees and can be used to house medical observation patients. During the inspection, SMU housed one female and seven male ICE detainees. The facility has dedicated several of its housing units/pod to serve as COVID-19 wings.

Each living area, except the SMU, has a common dayroom, which is equipped with a television, fixed table/chair units for detainees to eat their meals, play games, and gather for conversation. There are kiosks and electronic tablets in each housing unit on which detainees can receive/send emails, conduct video-visits, make telephone calls, send requests directly to facility and ICE/ERO staff, order commissary, file grievances, check their account balance, view the LexisNexis collection, the facility handbook and all



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announcements and program schedules, and access fee-based entertainment programs. Detainees are provided indoor and outdoor recreation.

Inspectors interviewed 21 general population detainees; the SMU detainees refused to speak with the inspectors. The language line service was used for five of the interviews. Generally, the detainees felt safe in the facility and had not been threatened by other detainees or staff. Some felt like the American detainees were calling them names and being disrespectful to their heritage. Detainees were issued and signed for the facility handbook during in-processing. The four detainees who stated they did not receive a handbook were discussed with the record office supervisor, who produced a signed acknowledgment from each of them attesting to its receipt. The opportunity for the detainees to comment on law library access, receipt of the mail, contact with ICE/ERO personnel and their response to submitted requests resulted in no substantive concerns, except for two detainees who did not like the information they were provided, per the deportation officer. ICE/ERO keeps an on-site presence at the facility, they are in the housing units several times each week.

Detainees stated they are informed of schedules and services through access to the housing units' tablets and kiosks. Most of the detainees were satisfied with access to the health care unit, they just wanted quicker relief to their concerns. The detainees who voiced legitimate complaints were discussed with the health services administrator by the medical SME. All of the detainees had been seen, and those in need of follow-up appointment were scheduled.

Almost all of the detainees stated concern with the quality and variety of food; they simply did not like it. These comments were discussed with the food service captain by the safety SME. The cycle menus have been approved by a registered dietician and the current menu cycle offers ethnic variety. Given the current practice meets or exceeds all applicable health and nutritional requirements, no further action was necessary. Detainees that raised substantive complaints or concerns during the interviews were asked if they had submitted their concerns to the Office of Inspector General. No detainees reported that they had submitted their concerns beyond facility staff.

All of the detainees had reservations about their safety due to COVID-19 conditions. They were informed current safety protocols are in place for everyone's protection. They did not press the issue but stated they felt like they would be safer back in their country.

The overall cleanliness and sanitation of the facility were determined as average by the three on-site inspectors present during this hybrid inspection.

Medical services are provided by PrimeCare Medical. Food service and maintenance operations are provided by York County employees. Detainee telephone, kiosk, and tablet services are provided by GTL. ICE detainees are not charged medical co-pays.

Areas of Concern/Significant Observations

Two priority components were rated as Does Not Meet Standard.

Food Service

*Component #39- **PRIORITY***

Policy: Staff shall check refrigerator and water temperatures daily and record the results. The FSA or designee will verify and document requirements of food and equipment temperatures. The FSA or CS shall inspect food service areas at least weekly. An independent, external inspector shall conduct annual inspections to ensure that the food service facilities and equipment meet governmental health and safety

codes.

Finding: Temperatures of the dishwasher are not always taken and recorded after each meal as required by the standard.

Recommendation: The facility should implement a review process that requires a daily check and recording of the dishwasher temperatures by the food service captain or designee to ensure compliance with the standard.

Food Service

*Component #10- **PRIORITY***

Policy: Before and during the display, service, and transportation of food, sanitary guidelines are observed, with hot foods maintained at a temperature of at least 140 degrees F degrees (120 degrees in food trays) and foods that require refrigeration maintained at 41 degrees F degrees or below.

Finding: Temperatures taken during the inspection were within the standards; however, a review of documentation during this inspection period showed that temperatures of hot food items were not always recorded.

Recommendation: A review and recording of food temperatures should occur after each meal by the food service captain or his designee, to ensure that staff has documented the appropriate hot and cold food temperatures.

Recommended Rating and Justification

The Lead Compliance Inspector recommends that the facility receive a rating of Meets Standards. The facility complies with the ICE Performance-Based National Detention Standards (PBNDS) 2008 for Over 72-hour facilities. No (0) standards were rated as Does Not Meet Standard and two (2) standards were Not Applicable (N/A). The remaining thirty-nine (39) standards were found to Meet Standards.

LCI Assurance Statement

The findings of compliance and noncompliance are accurately and completely documented on the G-324A Inspection Form and are supported by documentation in the inspection file. An out brief was conducted at the facility, and in addition to the Nakamoto Group, Inc. Inspection team of three on-site inspectors and the two remote inspectors, the following were present:

- ICE Officials – [REDACTED]
- Facility Staff – [REDACTED]

[REDACTED], Lead Compliance Inspector

December 11, 2020

Printed Name of LCI

Date