

October 18, 2018

TO: [REDACTED]
Assistant Director for Detention Management

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

SUBJECT: **Annual Detention Inspection of the James A. Musick Facility**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS 2008/PBNDS 2011 SAAP) of the James A. Musick Facility in Irvine, CA, during the period of October 16-18, 2018. 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
Security	[REDACTED]
Detainee Rights	[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 2017 inspection.

Inspection Summary

The James A. Musick Facility is currently accredited by:

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

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 2017 and 2018 PBNDS 2008 compliance annual inspections:



<i>2017 Inspection</i>		<i>2018 Inspection</i>	
Meets Standards	39	Meets Standards	40
Does Not Meet	0	Does Not Meet	0
At-Risk	0	At-Risk	0
Repeat Finding	0	Repeat Finding	0
Not Applicable	2	Not Applicable	1

The inspection team identified four (4) deficient components in the following three (3) standards:

- Food Service – 1, which is a priority component
- Grievance System – 2, both are repeat deficiencies – one is a priority component
- Sexual Abuse and Assault Prevention and Intervention / 2011 – 1, which is a priority component

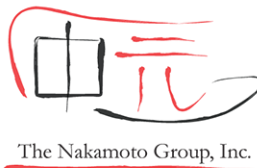
Facility Snapshot/Description

The James A. Musick Facility is part of the Orange County jail system operated by the Orange County Sheriff's Department. The facility is located in an idyllic farm setting in Irvine, CA forty miles West of Los Angeles.

The physical plant was built in 1963. The compound is encircled by chain linked fencing with select section of razor ribbon to enhance security. There is a perimeter road around the entire one hundred acre plot that is patrolled by an unarmed deputy six times each twelve hour shift. The facility's 29 camera surveillance network is monitored by control center deputies in multiple locations.

Inside the complex there are several single story program and support structures and four fenced-in housing blocks, two which house ICE detainees. The two male ICE detainee housing units, in one of the blocks, are a 128 bed dormitory setting; the two female ICE housing units, in another block, are a sixty bed dormitory setting. Support services are accessed throughout the facility. Detainee movement is escorted. All housing unit control centers have direct sight lines into the units. Detainee living and program areas were maintaining an adequate level of sanitation, except for the food service area, it was exceptionally clean. Both indoor and outdoor recreation is provided to detainees daily. Detainees spend waking hours socializing, playing games and watching television.

A total of 52 English speaking and LEP detainees were interviewed by the inspectors in open and confidential settings. They registered no substantive concerns on health care, treatment by staff, participation in programs and activities, access to ICE or conditions of confinement. A prevalent concern by most detainees we spoke with was the frequency of bologna for lunch. The food/safety SME spoke with the chief cook and the administration manager who stated it is a cost saving menu option that meets the nutritional standards of the U.S. Recommended Daily Allowances. Detainees stated that ICE personnel visit them often and are responsive to their requests. LEP detainees stated they have no problem communicating with staff as many of them are bi-lingual.



All personnel interviewed were well versed in the requirements of the standards and the concept of civil detention.

Medical and mental health services are provided by Orange County Health Care Agency. Food services are provided by Orange County Food Services. Maintenance services are provided by Orange County employees. ICE detainees are not charge a medical co-pay.

Areas of Concern/Significant Observations

The inspection team identified three (3) deficient priority components:

Food Service

Component #16: A registered dietitian shall conduct a complete nutritional analysis that meets U.S. Recommended Daily Allowances (RDA), at least annually, of every master-cycle menu planned by the FSA. The dietitian must certify menus before they are incorporated into the food service program.

Finding: A registered dietitian has not conducted a nutritional analysis of the master-cycle menu during the past twelve months. The last analysis was conducted on 9/30/2017.

Recommendation: Submit each master-cycle menu being used to a registered dietitian for analysis and approval that it meets the U.S. Recommended Daily Allowances (RDA) for nutrient requirements as set by the Food and Nutrition Board of the National Academy of Sciences.

Grievance System

Component #9: Each facility shall devise a method for documenting detainee grievances, at a minimum, a Detainee Grievance Log. The documentation shall include the date of the grievance, nature of the grievance in detail, and the date the grievance was resolved. A copy of the grievance disposition shall be placed in the detainee's detention file and provided to the detainee. Medical grievances are maintained in the detainee's medical file.

Finding: Medical grievances are not maintained in the medical file. They are kept in the detention file which is stored off-site at the Orange County Intake/Release Center.

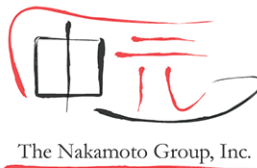
Recommendation: Place all medical grievances in the detainee's medical file for recordkeeping purposes.

Sexual Abuse and Assault Prevention and Intervention

Component #4: Training on the facility's Sexual Abuse and Assault Prevention and Intervention Program is included in initial and annual refresher training for employees, volunteers, and contract personnel, and addresses all training topics required by the Detention Standard. The facility maintains written documentation verifying employee, volunteer, and contractor training.

Finding: There is no documentation that indicates volunteers who have contact with detainees receive annual refresher training on the SAAPI Program.

Recommendation: Provide the required SAAPI program training to all current and future volunteers, and record the successful completion of the training in the volunteer's training record.



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/SAAPI 2011). No (0) standards were found Does Not Meet Standards and one (1) standard was Not Applicable (N/A). All remaining forty (40) standards were found to be in compliance.

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 entire Nakamoto Group, Inc. Inspection Team, the following were present:

- ICE Officials – [REDACTED] and other executive Los Angeles Field Office level directors and administrators
- Facility Staff – [REDACTED] and various other Orange County administrators and department supervisors

[REDACTED]
[REDACTED], Lead Compliance Inspector

Printed Name of LCI

October 18, 2018

Date