



May 10, 2018

TO: [REDACTED]
Assistant Director for Detention Management

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

SUBJECT: **Annual Detention Inspection of the Cibola County Correctional Center**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2011 of the Cibola County Correctional Center in Milan, NM during the period of May 8-10, 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]
Safety	[REDACTED]
Medical Care	[REDACTED]

Type of Inspection

This is a scheduled annual inspection, which is performed to determine overall compliance with the ICE PBNDS 2011 for Over 72 hour facilities. The facility received a rating of Meets Standards during the March 2017 inspection.

Inspection Summary

The Cibola County Correctional Center is currently accredited by:

- The American Correctional Association (ACA) – No
- The National Commission on Correctional Health Care (NCCHC) – 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 2011 compliance annual inspections:



2017 Inspection	
Meets Standards	40
Does Not Meet Standards	0
At-Risk	0
Repeat Finding	0
Not Applicable	2

2018 Inspection	
Meets Standards	40
Does Not Meet Standards	0
At-Risk	0
Repeat Finding	0
Not Applicable	2

The inspection team identified five (5) deficient components in the following four (4) standards:

Environmental Health and Safety – 1
Hold Rooms in Detention Facilities – 2, both are priority components
Staff-Detainee Communication – 1
Use of Force and Restraints – 1, which is a priority component

Facility Snapshot/Description

The Cibola County Correctional Center is owned and operated by CoreCivic. The facility is located in the city of Milan, New Mexico, near Interstate 40. The [REDACTED] facility houses [REDACTED]. The facility also houses transgender ICE detainees who are biologically male and self-identify as female. These detainees are housed in a separate housing unit away from other detainees. The count on May 8, 2018 was [REDACTED]

The inspection team visited all ICE detainee housing units several times during the inspection. It was noted that the facility is clean and in good repair. Detainees were interviewed in all housing units. Detainees were complimentary of staff interactions noting that staff is respectful and professional. All detainees interviewed stated that they did not fear for their safety and noted that there is a low level of violence at the facility. Detainees were observed playing board games and socializing with other detainees. Televisions, telephones, microwaves, video games and movies are available in the housing units. An inspection of the transgender unit revealed that detainees may participate in gardening programs and English as a Second Language classes.

There were no substantive complaints regarding food or access to telephones. Four detainees voiced concerns regarding timely follow-up of sick call requests. The review of the medical records for each detainee did not show any delay in evaluation, examination or treatment. Interviews with transgender detainees elicited no concerns regarding access to health care or privacy.

Several detainees complained of the lack of daily outdoor recreation time. A review of housing unit logs revealed that detainees are offered one hour and fifteen minutes of outside recreation each day which exceeds the requirement of the standard. Outdoor recreational activities include basketball, soccer, volleyball, jogging and intramural games between housing areas.



Individual libraries containing pleasure reading books and LexisNexis computers are located inside each detainee living unit for easy access. Detainees have access to the library, upon request, during facility waking hours.

Medical services are provided by Correct Care Solutions (CCS). Detainees are not charged medical, dental or mental health copay fees.

Areas of Concern/Significant Observations

Hold Rooms in Detention Facilities:

Priority Component #4: Detainees are not held in hold rooms for more than twelve hours.

Finding:

A random review was conducted to determine the amount of time detainees were held in hold rooms during the inspection period. The review determined that more than 50% of the detainees were held longer than twelve hours.

Recommendation:

The facility should implement a process that ensures that detainees are not held in hold rooms longer than twelve hours.

Priority Component #1: Officers closely supervise hold rooms through direct supervision to ensure;

- Continuous auditory monitoring
- Visual monitoring at irregular intervals at least every 15 minutes
- Constant surveillance of any detainee exhibiting signs of hostility, depression, or similar behaviors

Finding:

Documentation of visual monitoring of ICE detainees being held in hold rooms, revealed that visual monitoring was being conducted every thirty minutes instead of every fifteen minutes as required by the standard.

Recommendation:

Visual monitoring of detainees being held in hold rooms should take place at fifteen-minute irregular intervals as required by the standard.

Use of Force and Restraints:

Priority Component #11: All use of force incidents are documented and reviewed. Staff prepare a use of force form that identifies the detainee(s), staff, and others involved, describes the incident, and documents the location of strikes if intermediate force weapons are used. All calculated use of force incidents are properly audio-visually documented and forwarded for review. Use of force documentation at a minimum, shall include the



medical examination through the conclusion of the incident. All calculated use of force incidents must be audio-visually recorded in its entirety from the beginning of the incident to its conclusion.

Finding:

There were four use of force incidents involving ICE detainees during this inspection period. Two of the four were calculated uses of force. It was observed that the after-action review date for three of the incidents was sixty days or more past the incident date. The after-action review procedure approved by ICE/ERO and outlined in the facility's incident reporting policy 5-1, requires that after-action reviews of use of force incidents convene on the workday after the incident.

Recommendation:

The facility should conduct an after-action review of all use of force incidents timely as required by the standard.

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) 2011. No (0) standards were rated Does Not Meet Standards, two (2) standards were non-applicable (N/A). The remaining forty (40) standards were found to Meet Standards.

LCI Assurance Statement

The findings of Meets Standards and Does Not Meet Standards 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] (telephonically), [REDACTED]
- Facility Staff – [REDACTED] and various other supervisors and staff

[REDACTED]
[REDACTED], Lead Compliance Inspector

May 10, 2018

Printed Name of LCI

Date