



March 7, 2019

TO: [REDACTED]  
Assistant Director for Detention Management

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

SUBJECT: **Annual Detention Inspection of the Boone County Jail**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS) of the Boone County Jail in Burlington, Kentucky during the period of March 5-7, 2019. 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 NDS for Over 72 hour facilities. This facility received a previous rating of Acceptable during the March 2018 inspection.

### **Inspection Summary**

The Boone County Jail 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) – 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 2018 and 2019 NDS compliance annual inspections:



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2018 Annual Inspection		2019 Annual Inspection	
Meets Standards	36	Meets Standards	36
Deficient	0	Deficient	0
At-Risk	0	At-Risk	0
Repeat Deficiency	0	Repeat Deficiency	0
Not Applicable	3	Not Applicable	3

The inspection team identified seven (7) deficient components in the following six (6) standards:

Correspondence and Other Mail- 1  
Detainee Handbook- 1  
Food Service- 1  
Access to Medical Care- 1  
Use of Force- 1  
Detainee Transfer Standard- 2, both of which are repeat deficiencies

### Facility Snapshot/Description

The Boone County Jail operates as an independent entity within the Boone County Fiscal Court. The OIC of the facility is the elected jailer. The jail is located in a rural area of Burlington, Kentucky, which is a small community. [REDACTED]

The multi-story physical plant contains six housing wings. Four of the wings are divided into eight housing units and two of the wings have six housing units. Housing units range from four-bed to ten-bed dormitory settings and one and two-person cells. Administrative segregation consists of sixteen single cells and disciplinary segregation has eight single cells. There is no perimeter fence surrounding the facility. The perimeter is patrolled by an unarmed deputy at least once each shift and the entire perimeter is under camera surveillance. All exterior doors are alarmed and video monitored by the control center.

The setting is that of a typical jail and the concepts of civil detention are not incorporated to any significant extent. During the inspection, some non-ICE detainees were assigned mattresses on housing unit dayroom floors, and while the practice is to assign ICE detainees to bunks instead of floors, there was one ICE detainee who was assigned to a mattress on the floor. The assignment was changed to a bed when the inspection team reported it to the facility staff. Subsequently, all ICE detainees now have an assigned bed. [REDACTED] The additional population crowds the housing units and dayroom space is therefore at a premium. Recreation opportunities outside the living units are provided two hours per day, five days a week. This mitigates the crowding to a degree, but not substantially. Each housing unit has a television, a telephone, and a video visiting terminal. Reading materials are available in the housing units as well. ICE detainees are housed with non-ICE detainees of similar classification levels.

ICE detainees do not hold work assignments at this facility. In the housing units, detainees were observed watching television, sleeping, and using the telephone. The indoor and outdoor recreation areas are large and offer a variety of recreational activities. There are five indoor gymnasiums and three outdoor recreation areas.

Facility employees were professional in appearance and demeanor and appeared proficient in their duties. The supervisory cadre of the facility are knowledgeable of the standards. Only a few of the detention employees are bilingual, but several of the medical staff speak Spanish, greatly contributing to the performance of their duties. Detainees did not approach the inspection team for conversation; but were forthcoming when engaged. Staff and detainee communication appeared to be on a professional level.

No less than 44 detainees were interviewed; including 21 formal interviews. Confidential and LEP interviews were not remarkable, and LEP detainees reported that they have no problems accessing services. Several detainees complained that they were not issued enough underwear and socks. The standard issue amount is four pairs of socks and four pairs of underwear; adequate for the frequency of the laundry service (twice per week). The exact amounts of the issue are not listed on the intake records. Detainees sign a document that affirms their receipt of an "indigent kit". The term "indigent kit" encompasses all clothing and hygiene items that are issued so it cannot be verified that detainees actually receive the full issue on every occasion. Facility staff stated that these complaints are common as detainees will give away their used items so that they can receive new items. One of the detainees that complained that he had no socks, was wearing socks that had the toes cut out of them on his arms while at the same time telling the inspector that he had no socks. One detainee stated that one of the deputies does not treat detainees well. He was advised to file a grievance or call the OIG Hotline. One detainee stated that he was not immediately treated for a cold when he went to sick call, but that he was treated only after they isolated him. It was determined that he received timely treatment for a cold, once diagnosed. One detainee stated that he wanted more television programming in Spanish. He was advised that there is limited Spanish programming on the local television stations but that there are books in Spanish available from the library. One detainee stated that he could not get time in the law library. The process was reviewed and the normal wait time varies, unless the detainee has an imminent court date, in which case they may go the same day as the request. ICE staff stated that expedited law library requests are granted immediately. One detainee stated that the facility was without hot water for a few days. Facility staff verified that there was a two-day period when one of the boilers was broken and the water was not as hot as normal for those two days. Water temperatures were within acceptable range during the inspection. One detainee expressed that she was having difficulty with her Personal Identification Number for telephone and commissary access. Facility staff corrected the issue on the spot.

There are no medical co-payments. All services are provided by Boone County employees.

#### **Areas of Concern/Significant Observations**

There were no areas of concern or significant observations.

#### **Recommended Rating and Justification**

The Lead Compliance Inspector recommends that the facility receive a rating of Acceptable. The facility complies with the ICE National Detention Standards (NDS). No (0) standards were found Deficient and three (3) standards were Not Applicable (N/A). All remaining thirty-six (36) standards were found to be in compliance.

#### **LCI Assurance Statement**

The findings of compliance and non-compliance 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:



The Nakamoto Group, Inc.

- ICE Officials – [REDACTED]
- Facility Staff – [REDACTED], and various other staff members.

[REDACTED]

[REDACTED], Lead Compliance Inspector

March 7, 2019

Printed Name of LCI

Date