

May 31, 2019

TO: [REDACTED]
Assistant Director for Detention Management

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

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

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2008 of the Clay County Jail in Brazil, IN during the period of May 29-31, 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 PBNDS 2008 for Over 72 hour facilities. The facility received a rating of Meets Standards during the June 2018 inspection.

Inspection Summary

The Clay 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) – 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 2018 and 2019 PBNDS 2008 compliance annual inspections:

2018 Inspection		2019 Inspection	
Meets Standards	39	Meets Standards	38
Does Not Meet Standards	0	Does Not Meet Standards	1
Repeat Finding	0	Repeat Finding	0
Not Applicable	2	Not Applicable	2

The inspection team identified fourteen (14) deficient components in the following seven (7) standards:

Key and Lock Control – 2
 Searches of Detainees -1
 Special Management Units - 1
 Staff-Detainee Communication – 1
 Personal Hygiene – 1, which is a repeat deficiency
 Recreation – 1, which is a repeat deficiency
 Staff Training – 7

Facility Snapshot/Description

The Clay County Jail (CCJ) is owned by Clay County and operated under the jurisdiction of the Clay County Sheriff's Office. The facility is located approximately forty miles northwest of Indianapolis in Brazil, Indiana. The facility houses adult male and female Clay County detainees and adult male and female ICE detainees of all classification levels.

The building is a multi-story building compound that houses the administrative offices of the Clay County Sheriff's and the jail. There is no perimeter fencing around the building; however, the perimeter is foot-patrolled by an unarmed officer during select shifts. The exterior perimeter of the building is the exterior walls of the building. The entire perimeter is under camera surveillance. Access through all exterior doors is controlled by central control officers.

The jail consists of nine individual housing units: two housing units have two-bed cells; four housing units have four-bed cells; and three dormitories range in size from six to 24 beds. The facility is under a multiple surveillance camera network which provides sight lines into all critical housing and common areas. Housing areas provide adequate open dayroom space which is accessible to detainees daily from 6:00 a.m. to 11:00 p.m. Each housing unit is equipped with a television, a telephone bank, an informational kiosk and stainless-steel table with attached stools. The facility does not offer outdoor recreation. The daily schedule governs detainee movement. All movement is escorted.

The visiting format is video-visitation. There is a video-visit station in each housing unit and a bank of them in a room off the front visitor entrance. Daily visits are permitted and can be conducted on-site or from a remote location.

The inspection team visited with and interviewed all of the detainees housed in the facility during the inspection.

All of the detainees stated they had not received a copy of the local handbook, despite their signature on a receipt indicated they had received it. During the course of the inspection, all detainees were provided a copy of the local handbook in a language they could understand. Further interviews with the detainees revealed they did

not fear for their safety and that the officers treat them with respect. They registered no substantive concerns regarding food, medical care or access to telephones, legal materials, conditions of confinement or accessibility to ICE/ERO personnel. The detainees verified that ICE personnel visit the housing units every week and are prompt in responding to their requests.

The living areas were observed to be in need of general cleaning and sanitation. Graffiti was observed in different areas and some vents were dirty and blocked. The showers had chipped paint, mold, rust and soap scum build-up. The toilets and sinks were in need of basic sanitation and not all toilets were operational. Overall, the facility is maintaining a sub-standard level of cleanliness.

Medical services are provided by Quality Correctional Care. The facility does not charge detainees a medical co-pay. All other services are provided by Clay County employees.

Areas of Concern/Significant Observations

One standard was identified as Does Not Meet Standard.

Staff Training

Policy: This detention standard ensures that facility staff, contractors, and volunteers are competent in their assigned duties by requiring that they receive initial and ongoing training.

Finding: There is only a semblance of a training plan. The outline used as the training plan is a copy of the topics required by the standard, yet not all of those topics have a training curriculum. The assistant OIC responsible for the training program has not received the required training. Documentation to support who has received training and when it was conducted is extremely sparse and, in many training areas, nonexistent.

Recommendation: A training plan and corresponding curriculum should be developed and approved by the OIC which addresses all of the standard requirements. The assistant OIC responsible for the training program should receive the required training. A system to track and document the training delivered should be developed and maintained by the assistant OIC.

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. One (1) standard was rated Does Not Meet Standard and two (2) standards were non-applicable (N/A). The remaining thirty-eight (38) standards were found to be in compliance.

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] (on telephone),
- Facility Staff – [REDACTED] and various administrative and department representatives.



[REDACTED]

[REDACTED], Lead Compliance Inspector

May 31, 2019

Printed Name of LCI

Date