

January 21, 2021

TO: [REDACTED]  
Assistant Director for Detention Management

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

SUBJECT: **Annual Inspection of the Butler County Jail**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS 2019) of the Butler County Jail in Hamilton, Ohio, during the period of January 19-21, 2021. This is an IGSA.

The 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 NDS 2019 for Over 72 hour facilities. The facility received a rating of Meets Standards during the May 2019 inspection. This inspection was scheduled for 2020, but was postponed to 2021 due to COVID-19.

### **Inspection Summary**

The Butler 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 2019 and 2021 compliance annual inspections:

<b>2019 Annual Inspection</b>	
Meets Standards	36
Does Not Meet Standards	1
Repeat Finding	0
Not Applicable	2

<b>2021 Annual Inspection</b>	
Meets Standards	31
Does Not Meet Standards	1
Repeat Finding	0
Not Applicable	1

The inspection team identified forty-two (42) deficient components in the following nineteen (19) standards:

- Environmental Health and Safety – 4
- Admission and Release – 1
- Custody Classification – 1
- Facility Security and Control – 2
- Detainee Funds and Personal Property – 4
- Hold Rooms in Detention Facilities – 1
- Post Orders – 2
- Special Management Units – 2
- Sexual Abuse and Assault Prevention – 2
- Food Service – 3
- Hunger Strikes – 1
- Medical Care – 9
- Suicide Prevention and Intervention – 1
- Disability Identification, Assessment, and Accommodation – 1
- Correspondence and Other Mail – 2
- Religious Practices – 2
- Telephone Access – 1
- Visitation – 2
- Detention Files – 1

### **Facility Snapshot/Description**

The Butler County Jail is an [REDACTED] direct supervision facility located in Hamilton, Ohio. The facility is owned by Butler County and operates under the jurisdiction of the Butler County Sheriff's Office. The facility houses U.S. Marshals detainees, Federal Bureau of Prisons inmates, Pike County inmates in addition to male and female ICE detainees of all classification levels. [REDACTED]

[REDACTED] Food Service is provided by Aramark and detainee telephone services are provided by Combined Public Communications, LLC. All other services are provided by Butler County employees. Detainees are not charged co-pay fees for medical, dental, or mental health services.

The two-story facility has eight general population housing units, a housing unit for detainees that require separation from the general population, and a four-cell medical unit; all branching from a single hallway. Each of the housing units, except the medical unit, has 48 two-person cells on lower and upper ranges and an attached outdoor recreation area. An officer is stationed inside every housing unit, and video cameras are in place in every unit as well. The cameras are monitored in the control center.

Every cell is furnished with a television, a sink, and a toilet. Housing units provide adequate open space and detainees spend the majority of their time during waking hours socializing in the dayrooms or partici-



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pating in outside recreation activities. Male ICE detainees are housed separately from detainees from other jurisdictions. Female ICE detainees are comingled with detainees from other jurisdictions with compatible classification designations.

During this hybrid inspection six male detainees, four in general population and two housed in segregation, were interviewed by onsite inspectors; LEP detainees were interviewed using a telephonic translation service. There were no issues or concerns expressed by detainees regarding conditions of confinement or quality of life. Detainees stated they felt safe and were satisfied with the sanitary conditions in the facility. The detainees indicated they were provided clean clothing and bedding as required. They were observed in clean appropriate clothing and stated they are provided personal hygiene items when requested.

Five female detainees were interviewed via telephone by a bilingual inspector who was working remotely. Some of them voiced dissatisfaction with the medical care system. The medical SME forwarded the information to the HSA and attempted to discuss the complaints but got no response. Several indicated that due to the language barrier they stay to themselves and often feel isolated and do not feel totally safe but provided no specifics to substantiate their feeling of fear.

Detainees indicated they were aware of the grievance system and how to use it. None of the detainees had contacted the OIG but were aware of how to make contact if they needed to.

Due to COVID-19, this inspection was conducted as a hybrid inspection with three inspectors onsite and two working remotely. The facility provided the inspection team all requested documentation, photographs, and videos as evidence of practices and procedures within the facility. In addition to these materials, staff were interviewed by the inspection team. All staff interviewed were well versed in facility policy and the requirements of the standards and were responsive to all requests made by the inspection team. Sanitation was observed to be acceptable.

It was reported that one ICE detainee had tested positive for COVID-19 in December. There were eight detainees on cohort status during the inspection.

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

#### **Detainee Funds and Personal Property – Does Not Meet Standard**

**Policy:** All facilities will implement procedures to control and safeguard detainee's personal property. Procedures will provide for the secure storage of funds, valuables, baggage and other personal property; the documentation and receipting of surrendered property; and the initial and regularly scheduled inventorying of all funds, valuables, and other property.

**Finding:** Access to the secure storage room is not limited to designated supervisors and/or property officers. All correctional officers have access to the property storage area. Detainees are not allowed to keep a reasonably amount of personal property in their possession. Detainees must release personal property to a family member or store the property in the storage area.

A review of audit documentation indicated that the time the facility staff member conducted the inventory/audit was not documented. During the August, 2020, Office of Detention Oversight (ODO) inspection this finding was noted also. No corrective action has been taken and this information is still not included in the audit documentation.



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The handbook that has been issued to detainees does not inform detainees of policies and procedures for storing or mailing property in their possession and does not inform detainees of procedures for claiming property upon their release, transfer, or removal. During the August, 2020, ODO inspection this finding was noted also. The handbook has been updated January 2021; however, the process for storing or mailing excess property is still not addressed in the handbook.

**Recommendation:** Corrective action should be taken to ensure that access to the secure storage room is limited to designated supervisors and/or property officers. Detainees should be permitted to keep a reasonable amount of personal property in their possession as allowed by the standard. Audit documentation should be completed in accordance with the standard. The handbook should be updated to include all information 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 National Detention Standards (NDS 2019) unless unobserved practices and conditions are contrary to what was reported to the inspection team. One (1) standard was found Does Not Meet Standard and one (1) standard was Not Applicable (N/A). All remaining thirty-one (31) standards were found to Meet Standards.

### **LCI Assurance Statement**

The findings of compliance and non-compliance are accurately and completely documented on the G-324 Inspection Form and are supported by documentation in the inspection file. A telephone call-in out brief was conducted with the facility. In addition to the entire Nakamoto Group Inspection Team, the following participated in the conference call:

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

[REDACTED]

[REDACTED], Lead Compliance Inspector

January 21, 2021

Printed Name of LCI

Date