

December 17, 2020

TO: [REDACTED]
Assistant Director for Detention Management

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

SUBJECT: **Annual Inspection of the Robert A. Deyton Detention Center**

The Nakamoto Group, Inc. performed a remote annual inspection for compliance with the ICE National Detention Standards (NDS 2019) of the Robert A. Deyton Detention Center in Lovejoy, Georgia during the period of December 15-17, 2020. 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 remote annual inspection that 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 December 2019 inspection (NDS 2000).

Inspection Summary

The Robert A. Deyton Detention Center is currently accredited by:

- The American Correctional Association (ACA) – Yes
- The National Commission on Correctional Health Care (NCCHC) – Yes
- 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 2020 annual inspections:



The Nakamoto Group, Inc.

2019 Annual Inspection		2020 Annual Inspection	
Meets Standards	35	Meets Standards	29
Does Not Meet Standards	1	Does Not Meet Standards	1
Repeat Finding	0	Repeat Finding	0
Not Applicable	3	Not Applicable	3

The inspection team identified twenty-five (25) deficient components in the following eleven (11) standards:

- Environmental Health and Safety - 2
- Detainee Funds and Personal Property - 3
- Personal Hygiene - 1
- Recreation - 1
- Detainee Handbook - 1
- Grievances - 2
- Facility Security and Control - 1
- Hold Rooms in Detention Facilities - 2
- Special Management Units - 1
- Suicide Prevention and Intervention - 2
- Disability Identification, Assessment, and Accommodation – 9

Facility Snapshot/Description

The Robert A. Deyton Detention Center, located in Lovejoy, Georgia, is approximately 35 miles south of Atlanta, Georgia. The facility is owned by Clayton County and operated by The Geo Group, Inc. The Geo Group, Inc. leases the facility from Clayton County and operates via a direct contract with the United States Marshal Service (USMS). Male ICE detainees are housed at the facility through an IGSA between ICE and the USMS. The facility houses both male and female non-ICE detainees for the USMS. Also, the facility has a contract with the Federal Bureau of Prisons to temporarily house BOP inmates in transit.

The warden described the facility as a two-story building surrounded by a ten-foot exterior fence draped with several rolls of razor ribbon. The exterior fence is supplemented by motion sensors and an interior six-foot chain-link fence topped with barbed wire. The perimeter is patrolled on each shift by an armed officer. The administrative offices are in the front of the building before entering the secure section. The facility has four distinct housing unit sections with a center core that houses the medical department, food service department, intake, and the law library. The housing units, various other programming offices, and attorney visitation rooms are located on four primary interior corridors. The four housing units each have six housing pods for a total of 24 housing pods. Twenty-two of the housing pods are designated as general population, two are dedicated ICE housing pods. Additionally, two of the 24 housing pods are designated as restricted housing. All general population housing pods receive indirect supervision by roving officers; the restricted housing units receive direct supervision. The warden confirmed that ICE detainees do not commingle with non-ICE detainees in either housing or common areas.



The Nakamoto Group, Inc.

Per the warden, each of the two dedicated general population housing pods has a dayroom equipped with combination tables and seats, two televisions, four telephones, board games, a microwave oven, a kiosk, and electronic tablets. The kiosk in each housing pod is used for ordering commissary items. The local handbook and various schedules, rules, etc., are accessible via the kiosks. Detainees may use an electronic tablet to communicate with various facility staff, access PREA information, and take advantage of various educational and self-help programs; all at no charge. For a fee, detainees may use the tablets to download music and videos, make telephone calls, and visit with persons on their visitation list via video. Detainees are afforded both indoor and outdoor recreation with required safety procedures implemented due to COVID-19, such as limiting the number of detainees in recreation and program areas to allow the required spacing. ICE detainees do not participate in the voluntary work program.

The inspection team interviewed, via telephone, a total of sixteen detainees including eleven limited English proficient LEP detainees (by bilingual inspectors or with translator services), all detainees were in general population. During this inspection, there were no detainees in administrative or disciplinary segregation. All sixteen interviews were conducted in a confidential setting including all LEP detainee interviews. Detainee interviews revealed an overall favorable opinion of medical care, access to legal materials, detainee mail system, access to telephones, and the opportunity to speak to facility supervisors and officers. Several detainees interviewed alleged they were not receiving the scheduled daily hour of recreation. The concern was referred to the warden and he determined there was no documentation to confirm the recreation schedule was being followed. Corrective action was implemented during the inspection. There was one detainee interviewed that alleged that he was diabetic and that he was not receiving the medication he needed. The concern was referred to the medical department. The medical department confirmed that the detainee was receiving the medication required. Detainees interviewed were asked if they had filed a grievance and/or had called the OIG hotline. When they responded in the negative, detainees were informed of the grievance process and the availability of the OIG hotline. All staff interviewed via telephone exhibited a positive, professional demeanor and attitude.

The warden stated that under COVID-19 protocols, ICE suspended on-site general/social visitation at all ICE facilities in March 2020. Legal and professional visitation are exempt from this suspension. The suspension of general/social visitation will remain in effect until such time the decision to reinstate contact visitation in consultation with the Marshal Service and ICE is made. To alleviate the impact of the visitation suspension, each detainee is provided with \$10 of free phone minutes upon admission.

Due to the remote nature of the inspection, sanitation levels were based on video presentations, photographs, and staff and detainee interviews. The overall sanitation conditions were determined to be acceptable.

The facility does not charge co-pays for medical, mental health, or dental care.

Detainee telephone services are contracted with GTL. Commissary services are provided by the Keefe Group. Except for contracted medical specialists, all other services are provided by employees of The Geo Group, Inc.

Areas of Concern/Significant Observations

One standard was rated as Does Not Meet Standard during this remote inspection. The inspection team used photographs and video images to facilitate observations during the inspection.

Disability Identification, Assessment, and Accommodation

Policy:

This detention standard protects against disability discrimination by ensuring that detainees with a disability have an equal opportunity to participate in, access, and enjoy the benefits of the facility's programs, services, and activities.

Findings:

The facility has not developed policy or procedures for a process that includes reasonable timelines for reviewing detainees' requests for accommodations related to a disability and for providing accommodations (including interim accommodations), and modifications.

The required interactive process that includes a good faith attempt to interview the detainee and determine the nature of the detainee's disability and any difficulties the detainee experiences has not been implemented.

The facility does not have procedures in place to notify ICE/ERO as soon as practicable, but no later than 72 hours, after the facility has completed its interactive process to assess the needs of any detainee with a communication or mobility impairment.

The facility orientation program does not notify and informs detainees about the facility's disability accommodations policy.

Recommendation:

Develop and implement policy and procedures that will protect detainees against disability discrimination by ensuring that detainees with a disability have an equal opportunity to participate in, access, and enjoy the benefits of the facility's programs, services, and activities. Procedures should include the methods by which ICE will be kept informed and up-to-date on detainee participation.

Recommended Rating and Justification

The Lead Compliance Inspector recommends that the facility receive a rating of Meets Standards unless unobserved practices and conditions are contrary to what was reported to the inspection team. The facility complies with the ICE National Detention Standards (NDS 2019) for Over 72-hour facilities. One (1) standard was found Does Not Meet Standard and three (3) standards were Not Applicable (N/A). The remaining twenty-nine (29) standards were found to Meet Standards.

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. A telephone call-in out-brief was conducted at the facility and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following participated in the call:

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



The Nakamoto Group, Inc.

[Redacted]

[Redacted]

December 17, 2020

Printed Name of LCI

Date

[Redacted]