

February 24, 2021

TO: [REDACTED]
Assistant Director Custody Management

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

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

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS) 2019 of the Bergen County Jail in Hackensack, New Jersey, during the period of February 22-24, 2021. This is an IGSA.

The annual 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 February 2020 annual inspection.

Inspection Summary

The Bergen County Jail 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 2020 and 2021 NDS annual inspections:

<i>2020 Annual Inspection</i>	
Meets Standards	37
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	2

<i>2021 Annual Inspection</i>	
Meets Standards	31
Does Not Meet Standards	0
Repeat Finding	0
Not Applicable	2

The inspection team identified one (1) deficient component in the following one (1) standard:

Detainee Funds and Personal Property - 1

Facility Snapshot/Description

The Bergen County Jail is owned by the county and operated under the jurisdiction of the Bergen County Sheriff's Department. It is located in an industrial area in Hackensack, New Jersey. [REDACTED]

[REDACTED] The remaining detainees were from U.S. Marshal Service and Bergen County and surrounding jurisdictions. [REDACTED]

[REDACTED] ICE detainees are not housed and do not come in contact with non-ICE detainees.

The facility was built in 1996. It is a stand-alone multi-storied facility that is surrounded by one fourteen-foot chain link fence supplemented with razor ribbon on top and bottom and a movement detection/shaker system installed on the fence line. There is a perimeter road that encircles the complex; it is patrolled by an armed officer at least once each shift. Surveillance cameras offer visibility around the entire perimeter, into the housing units, the common areas, and interior movement corridors. All exterior building doors are under constant camera surveillance and are controlled by center control staff. The building is equipped with a site-wide duress/panic alarm system and an 800+ surveillance camera network that is monitored 24 hours a day.

The facility has nineteen individual general population housing units of which seven are dedicated to ICE detainees. The housing units are a combination of dormitory settings ranging in size from 24 to 64 beds, and two-tier units with 32 two-bed cells in each. There is one special management unit (SMU); it has 64 cells equipped with either one bed or two beds. All units are governed by a direct supervision management philosophy. There were two ICE detainees in the SMU during the inspection. The facility has dedicated sections of its housing units to serve as COVID-19 wings; there were positive COVID-19 cases on-site during this remote inspection. The health care unit is not a licensed infirmary, but does have an eight-bed ward used for patient observations.

Each living area, except the SMU, has a common dayroom equipped with a television, a telephone bank, and fixed table/chair units for detainees to eat their meals, play games, and gather for conversation. There are no electronic tablets in the housing units; only one kiosk where detainees can order commissary and access the facility handbook and some program schedules and some informational bulletins. Information not included on the kiosk is posted on the housing units' bulletin boards. Detainee requests, grievances and sick call requests are filed in a paper format. Each ICE housing unit has two laptop computers equipped with the software to provide full access to the LexisNexis collection. Dayrooms are accessible daily from 7:00 a.m. to 9:00 p.m. There are no video-visit stations in the housing units.

Non-contact general and legal visits have continued throughout COVID-19 conditions, but with strong safety protocols that are strictly enforced. Detainees are provided indoor and outdoor recreation. The out-



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door recreation schedule has been interrupted recently due to excessive snowfall amounts and sub-zero wind chills.

The inspectors conducted seventeen confidential detainee interviews during the inspection; eight required the use of a language line. The detainees ranged from two months to one year of detention in the facility. Six of the detainees were Deferred Action of Childhood Arrivals (DACA) arrivals who have been in the country for most of their lives, and were just awaiting status updates on their hearings. All of the detainees stated they felt safe at the facility and had not been threatened or mistreated by staff or other detainees. There was general concern about COVID-19 conditions and how they felt protection from the virus was not in their control. A review of the protocols in place revealed they are strict and in adherence to local and state public health mandates and recommendations and the Centers for Disease Control and Prevention interim guidance specific for correctional and detention facilities.

The detainees who registered medical concerns had their issues brought to the attention of the health services administrator by the medical SME. All concerns had been previously addressed and proper care/treatment had been provided. Follow-up appointments had been scheduled as necessary.

Many of the detainees stated they did not like the food. They stated the menu items were bland and selections repetitive. These concerns were discussed with the food service director by the safety SME. All cycle menus have been approved by a registered dietician as meeting or exceeding the nutritional requirements set by the USRDA. Detainees meals are based on a 35-day rotation. No further action was necessary.

Few detainees stated they had filed a grievance. Those that had stated they were satisfied with the process even though judgement did not go in their favor. The detainees were aware of the OIG resource, but few of them had reached out for an intervention. The three that stated they had called; said they were of no help. Detainees were aware of the law library computers and had used them citing no concerns with access or the resources. Access to ICE/ERO personnel was not a concern. Detainees stated they saw their deportation officer frequently in the housing unit. None of the detainees stated they were dissatisfied with response times to their requests. Logbook entries revealed same day responses to the requests. Most of the detainees stated the facility was clean. An overall assessment of the general cleanliness of the facility could not be determined due to the remote nature of the inspection.

Medical and maintenance services are provided by Bergen County employees. Food Service is provided by Aramark. Detainee telephone services are provided by GTL. ICE detainees are not charged co-pays for medical, mental health, or dental care services.

Areas of Concern/Significant Observations

The inspection was conducted remotely, and inspectors were unable to personally observe practices and procedures within the facility. The inspection team relied upon photographs and/or videos to validate the observation of many standards. 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 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. No (0) Standards were rated as Does Not Meet Standard and two (2) standards were Not Applicable (N/A). All remaining thirty-one (31) standards were found to Meet Standards.



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

- Facility Staff – [REDACTED]

- ICE Officials – [REDACTED]

[REDACTED]

[REDACTED], Lead Compliance Inspector

Printed Name of LCI

February 24, 2021

Date