

February 28, 2019

TO: [REDACTED]
Assistant Director for Detention Management

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

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

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE National Detention Standards (NDS) of the Bergen County Jail in Hackensack, NJ, during the period of February 26-28, 2019. This is an IGSA facility.

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 for Over 72 hour facilities. The facility received a previous rating of Acceptable during the February 2018 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 2018 and 2019 NDS compliance annual inspections:

2018 Annual Inspection	
Acceptable	37
Deficient	0
Repeat Deficiency	0
Not Applicable	2

2019 Annual Inspection	
Acceptable	37
Deficient	0
Repeat Deficiency	0
Not Applicable	2

The inspection team identified eleven (11) deficient components in the following five (5) standards:

- Food Service – 4
- Recreation - 1
- Voluntary Work Programs - 1
- Environmental Health and Safety – 4
- Sexual Abuse and Assault Prevention and Intervention - 1

Facility Snapshot/Description

The Bergen County Jail is located in Hackensack, New Jersey. The facility is owned by the County of Bergen and operated by the Bergen County Sheriff's Department. The two-story facility was built in 1965 and remodeled in 2000 and 2009.

Officers are stationed in each of the ten dedicated ICE housing units providing direct supervision of detainees in dormitories and celled housing.

Housing areas provide adequate open space that is well lit with both natural and artificial light. The common areas of the housing unit are situated with numerous tables and chairs for detainees to participate in leisure time activities and socializing. Detainees were observed playing board games, reading, playing cards, visiting, using computers, watching television and viewing the kiosks for general facility information. An outside recreation yard is attached to each housing unit or available at scheduled times each day for detainee use. ICE detainees are comingled with other populations of similar classification custody levels. The entire facility is climate controlled. The inspection team found the environment to be at ease with detainees freely approaching inspectors, ICE officials and facility personnel to participate in formal interviews and general discussions. Sanitation throughout the facility was observed to be very good.

Confidential interviews of LEP detainees revealed they have adequate access to medical services, law library and recreational activities. They expressed appreciation for how they are treated by staff and felt safe being housed at this facility. One detainee of Russian descent complained that there was very little reading material in the library that was written in a language that he could understand. The detainee was informed by staff that he may order additional reading material from an authorized book distributor if he wishes. Interviews with detainees revealed an overall acceptance of the meals; however, complaints about small portions and redundancy of food items served were voiced by several detainees. A review of the 35-day menu cycle confirmed the meals have been nutritionally analyzed, certified and approved by a registered dietitian. The health and safety inspector observed the lunch meal during the inspection and found the portion sizes to be within the requirements of the food service standard. One LEP detainee stated that he has tried several times

over the past few months to contact various pro bono organizations for legal assistance but was unable to reach them by telephone. This concern was passed on to the facility SDDO who stated that he would have an ICE officer meet with the detainee to assist.

Two detainees voiced concerns about their medical care to compliance inspectors. One detainee stated he had a dental problem and was not being assessed or treated. The medical compliance inspector reviewed the detainee's medical record and found that he had been seen by the dentist, was prescribed medication and is scheduled to see an oral surgeon. The second detainee complained that he had upper leg/groin pain and had not been assessed or treated. Review of this detainee's medical record revealed that he was seen at nurse's sick call, given medication for pain, and told to return if his condition did not improve.

Several Jewish faith detainees complained of finding small red dots around the yolk of hard-boiled eggs that were being served for breakfast. This was researched by the health and safety compliance inspector and found that the spots indicate a fertilized egg has not fully developed, but instead the spots are caused by the rupture of a blood vessel during formation. Candling methods discover most eggs with blood spots and the eggs are removed; however, even with this method it is impossible to catch all of them and especially challenging with brown eggs. Both chemically and nutritionally, eggs with blood spots are fit to eat. The food service supervisor, DSM and the facility Rabbi sampled a portion of eggs to ensure their integrity and had a meeting with the Jewish faith detainees to offer replacement eggs if future servings were discovered to have red spots.

On the final day of the inspection, ICE detainees housed in the medium high/high living unit complained of not having hygiene items replenished when needed. It was confirmed by a compliance inspector that hygiene packets are available in the housing unit for detainees but may not routinely be handed out to them. The compliance lieutenant informed the sector sergeant to look into the matter and ensure that all detainees have the appropriate hygiene items.

During the inspection, there were no less than 100 detainees interviewed. All officers interviewed were well-versed in facility guidelines and operating procedures as well as the National Detention Standards. Officers and staff were professional when dealing with detainees and the inspection team.

Health services are provided by county employees. The facility does not charge co-pays for medical, mental health or dental care.

Food service operations are contracted with Aramark. Detainee telephone services and video visitation kiosks and services are provided by Global Tel* Link via contract with the facility.

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 two (2) standards were Not Applicable (N/A). All remaining thirty-seven (37) 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:

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

[REDACTED]

[REDACTED], Lead Compliance Inspector

February 28, 2019

Printed Name of LCI

Date