

October 15, 2020

TO: [REDACTED]
Assistant Director for Detention Management

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

SUBJECT: **Annual Detention Inspection of the Clay County Justice Center**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2008 of the Clay County Justice Center in Brazil, Indiana during the period of October 13-15, 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 annual remote 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 May 2019 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 2019 and 2020 PBNDS 2008 compliance annual inspections:



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2019 Inspection		2020 Inspection	
Meets Standards	38	Meets Standards	39
Does Not Meet Standards	1	Does Not Meet Standards	0
Repeat Finding	0	Repeat Finding	0
Not Applicable	2	Not Applicable	2

The inspection team identified four (4) deficient components in the following four (4) standards:

- Special Management Units – 1, which is a repeat deficiency
- Personal Hygiene – 1, which is a repeat deficiency
- Recreation – 1, which is a repeat deficiency
- Staff Training – 1, which is a repeat deficiency

Facility Snapshot/Description

The Clay County Justice Center (CCJC) is owned by Clay County and operated under the jurisdiction of the Clay County Sheriff's Office. The facility is located approximately forty miles southwest 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. [REDACTED]

According to the jail commander, the CCJC physical plant consists of a two-story building housing the administrative offices of the Clay County Sheriff's Office, Department of Natural Resources, and the jail. There is no perimeter fencing around the building. The perimeter is foot patrolled by an armed 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 pod style housing units: two housing units are equipped with two-bed cells; four housing units are equipped with 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. Photo images confirmed that each housing unit is equipped with a television, a telephone bank, an informational kiosk, and stainless-steel tables with attached stools. The facility does not offer outdoor recreation. The daily schedule governs detainee movement. All movement is escorted.

Visiting privileges are scheduled through a video visitation platform. Photo images confirmed the location of a video visiting station in each housing unit and a bank of monitors in a room adjacent to the front visitor entrance. Daily visits are permitted and can be conducted onsite or from a remote location.

The inspection team interviewed 21 detainees. Five detainees stated they had not received a copy of the local handbook, despite their signature on a receipt indicating they had received it. During day one of the inspection, all detainees were provided a copy of the local handbook in a language they could understand.

Detainees stated, without exception, that they did not fear for their safety and that officers treat them with respect. Detainees registered no substantive concerns regarding food, medical care, 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. Two detainees stated that cleaning supplies were not always readily available. This concern was shared with the ICE liaison sergeant who confirmed that cleaning supplies are provided to detainees daily. No detainee tried to access the OIG



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Hotline. However, detainees confirmed that the “speed dial numbers” worked. As the inspection was completed in a remote format, observation of housing units was conducted through photo images. Photo images of Housing Unit E reflected graffiti on the walls near the telephones and video visitation stations.

Medical services are provided by Quality Correctional Care. Detainees are not charged a medical co-pay. All other services are provided by Clay County employees.

Areas of Concern/Significant Observations

The Facility Significant Incident Summary (SIS) documented two escapes from Clay County custody:

On 3/25/2020 at approximately 3:43 p.m., Clay County officers were transporting seven ICE detainees to the Boone County, Kentucky jail. During the transport, one female ICE detainee escaped from the transportation van. The detainee was apprehended the same day.

On 8/2/2020 at approximately 10:40 p.m., it was reported to the jail commander that a non-ICE detainee had “run off” while working in the nightly trash detail. Escape procedures were initiated. Staff searched the surrounding area, local businesses, and abandoned buildings. He was apprehended on 8/5/2020.

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.

Recommended Rating and Justification

The Lead Compliance Inspector recommends that the facility receive a rating of Meets Standard unless unobserved practices and conditions are contrary to what was reported to the inspection team. The facility complies with the ICE Performance-Based National Detention Standards (PBNDS) 2008. No standard was rated Does Not Meet Standard and two (2) standards were non-applicable (N/A). The remaining thirty-nine (39) standards were found to be in compliance.

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. An out brief was conducted remotely and in addition to the entire Nakamoto Group, Inc. Inspection Team, the following participated in the conference call:

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

[REDACTED]

[REDACTED], Lead Compliance Inspector

October 15, 2020

Printed Name of Lead Compliance Inspector

Date