Department of Homeland Security, Office of Inspector General Management Alert – Adelanto ICE Processing Center

October 3, 2018

THE GEO GROUP RESPONSE

I. OIG Finding: Nooses Made from Braided Bed Sheets Present Ongoing Safety and Security Risks

GEO Response / Corrective Action:

- Initially, we respectfully note that what are described in the OIG report as "nooses" were bed sheets hung by detainees to provide privacy when using toilet facilities in their rooms. Detainees would do so by braiding a bed sheet, so it could be attached from end to end as a string from which another bed sheet or towel could be hung as a privacy curtain or screen.

- While the OIG report accurately describes this as a commonplace practice, it is inaccurate to infer that GEO does not take safety and security risks seriously. Ensuring that cells are free from conditions that could present a danger or a security risk is of paramount importance.

- Immediately after being notified of this finding, on May 7, 2018, the Warden directed the assistant wardens, chief of security, captains and fire safety manager to specifically identify any visual impairments when making daily and weekly rounds.

- Next, on May 11, 2018, town hall meetings were conducted by the chief of security in all units. Detainees were advised that no items are to be attached to the walls, ceilings, or beds. Clothes lines, or use of blankets or towels that block the view of sleeping areas or toilets are expressly prohibited.

- Additionally, as of September 4, 2018, the Adelanto ICE Processing Center's "pre-service" and "in-service" training curricula were updated to provide specific instruction regarding the hanging of sheets or items. This training update directs staff, as noted in the detainee handbook that "the hanging of sheets, towels, blankets or clothing from bunks, rails, tables etc. is prohibited."

- In addition, GEO is currently in the process of examining viable options, including the installation of stainless steel partitions anchored with posts to the wall and floor in all detainee rooms, in order to provide detainee privacy when using the toilet, and still maintaining a partial view for security purposes.

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II. OIG Finding: Detainees Are Placed in Disciplinary Segregation Prematurely and Inappropriately

GEO Response / Corrective Action:

- The detainees referenced in the report were placed in the restricted housing unit (RHU) pending investigation or pending disciplinary hearings. Under the Performance-Based National Detention Standard (PBNDS) 3.1.E.3, each investigation must commence within 24 hours and be completed within 72 hours of the triggering incident. Detainees are placed in segregation on a case-by-case basis and only through an official approval process.

- Detainees are only placed in RHU when: the detainee poses a threat to life, property, self, staff, or other detainees; the detainee poses a threat to the secure and orderly operation of the facility; as a result of the detainee's medical conditions; or, under other circumstances enumerated in the PBNDS.

- The OIG's review did reveal that in certain cases the disciplinary paperwork was not being filed timely and detainees were in the RHU while the investigation was pending. The Adelanto ICE Processing Center acknowledges that without complete paperwork in detainee files, the OIG had difficulty in determining the precise status of each detainee's status.

- Effective May 2018, the RHU lieutenant began conducting reviews of all RHU operations every Monday through Friday to confirm that all required paperwork, including paperwork generated each weekend, is placed timely in the detainees' files kept in RHU. With this corrective action plan in place, timelines will be met, and each detainee's status in the disciplinary process will be readily discernable. We also note that applicable PBNDS standards do permit a detainee to be housed in the RHU while an investigation is pending or to ensure the safety and order of the facility, e.g., after a fight.

- As of September 5, 2018, large magnetic signs that read "Pending Hearing" have been ordered for the doors in RHU to clearly identify detainees who are under investigation and/or pending hearing. While in this status, these detainees have the same privileges as administrative segregation detainees, including commissary and visitation.

- Finally, the detainee identified in the OIG report is not confined to a wheelchair; he is blind and walks with a cane. The wheelchair was provided as convenience when needed. This detainee had refused to move cells after completing his disciplinary time, and the Center made an exception for him to remain in the cell with the same privileges of an administrative segregation detainee. Prior to placement in RHU, the detainee was evaluated and cleared by mental health for placement in RHU. During his time in RHU, the detainee received daily visits from mental health staff and twice daily visits from medical staff as well four separate mental health encounters during the nine-day period.

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III. OIG Finding: Detainees in Disciplinary Segregation Are Improperly Handcuffed and Shackled

GEO Response / Corrective Action:

- The Adelanto ICE Processing Center uses the minimum amount of restraints necessary to ensure the safe and secure operation of the facility. In this regard, the Performance Based National Detention Standards, Section 2.15.V.B.1., specifically grants a facility latitude on the use of restraints, which may be used "…as a precaution… to prevent self-injury, injury to others, or property damage."

- In accordance with the PBNDS, restraints are "…applied for the least amount of time necessary to achieve the desired behavioral objectives." Detainees in RHU are handcuffed before any escorted movement for the safety and security of the detainee, other detainees, and staff. Detainees in disciplinary detention are handcuffed in the front for visitation. Detainees are only placed in leg irons (shackles) when they are being escorted outside of RHU. This is a sound practice and ICE-approved policy to prevent self-injury, injury to others, or property damage.

IV. OIG Finding: Detainees in Disciplinary Segregation Lack Communication Assistance

GEO Response / Corrective Action:

- Since January 19, 2016, training curriculum for all employees includes instruction on the language line and interpretation services, during pre-service and in-service training.

- Additionally, all staff carry on their person a laminated card with instructions on the use of the language line, that they receive upon hire and before being assigned to duty. Detainees with visual impairments have all documents read out loud.

- The Adelanto ICE Processing Center receives a monthly invoice for the language line usage which includes: date and time of call, language used, and phone number from where the call was initiated.

- Since November 2017, invoices show the language line has been called 19,939 times for a total usage of 320,615 minutes. This equates to approximately 1,054 minutes (18 hours) of usage every day. For these calls, The Center has spent a total of $245,366.98 on the language line.

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V. OIG Finding: Medical Oversight in Disciplinary Segregation Is Ineffective in Ensuring Detainee Well-Being

GEO Response / Corrective Action:

- The Adelanto ICE Processing Center has redoubled its efforts to ensure that detainees placed in the RHU have the same access to medical care as any detainee at the Center. Specifically, the HSA reemphasized the requirement for meaningful communication with detainees to the health care staff. During staff meetings beginning in May 2018, staff have been advised to check the welfare of detainees by initiating contact with detainees through the cell door.

- On a daily basis, the RHU rounds conducted by medical/mental health staff are documented in the RHU rounds log kept in the medical department, and on a weekly basis, the QA nurse reviews a sampling of the daily log to determine if the detainees were seen the same day for their medical/mental health issues.

- Effective September 4, 2018, Adelanto ICE Processing Center security staff announce the arrival of medical staff in the RHU via the intercom system, prior to medical rounds being made.

VI. OIG Finding: Medical Care for Detainees Is Delayed and Inadequate

GEO Response / Corrective Action:

- To address the scheduling of appointments process being ineffective, in December 2017, a corrective action plan was implemented to streamline the appointments within the health services unit. In December 2017, a clinical coordinator was made responsible to coordinate detainee and clinic movements.

- The clinical coordinator is responsible for rescheduling canceled appointments or redirecting detainees to alternate providers within the required timeframes. Scheduling on the electronic system (eCW) has been re-evaluated to limit overbooking for providers, and scheduling rights have been limited to certain nursing staff. As of December 2017, the health services department integrated callout schedule utilizing the eCW.

- Detainees are scheduled for all providers during predetermined time frames. Tele-medicine, dental screenings, and mental health evaluations will be conducted in the satellite offices to streamline operations within the main health services unit. Sick call will be conducted in the medical offices located in the intake department in the event the satellite offices are fully occupied.

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- On February 13, 2018, the health services administrator (HSA) analyzed 8 weeks of clinic statistics regarding the number of appointments per week and the reschedule rate. Of note, since the implementation of the Corrective Action Plan, the reschedule rate has dropped from 16-20% to approximately 2%.

VII. OIG Finding: Dental Providers Do Not Provide Basic Dental Care

GEO Response / Corrective Action:

- After careful review, the Adelanto ICE Processing Center identified that at the time of the OIG audit, there were no detainees on the waiting list from the east housing unit and eight detainees remained on the waiting list from the west housing unit.

- Effective May 7, 2018, the dental staff was directed by the Health Services Administrator (HSA) to schedule detainees on a weekly basis until all requests for restorations are completed. There were a total of 15 restorations on backlog. As of May 30, 2018, the backlog was completed.

- Each day, the dental assistants now provide a report to the QA nurse, the assistant HSA, and the HSA detailing the completed restorations. On a weekly basis, the dental assistants now provide the dental restoration log to the QA nurse, the assistant HSA, and the HSA.

- In addition, on May 7, 2018, the dental log was updated and implemented. The revised log now includes the "date in ICE custody" in order to ensure that the time detainees have spent at other ICE facilities is properly accounted for. As of September 2018, there is no backlog for dental cleaning at the Adelanto ICE Processing Center.

- The comments attributed in the OIG report to the contracted dental provider are wholly inconsistent with GEO's values and commitment to high quality services. GEO will conduct an in-depth review of dental services at the Center, in conjunction with our medical services subcontractor to ensure that dental care is provided at the highest quality and in a timely manner, and to hold accountable those who are not meeting those expectations.

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