



April 19, 2008

MEMORANDUM FOR: Gary E. Mead, Acting Director
Office of Detention and Removal Operations

FROM: [Redacted] b6,b7c
Reviewer-In-Charge
Creative Corrections

for [Redacted] b6,b7c

SUBJECT: Eules City Jail Annual Detention Review

Creative Corrections conducted an Annual Detention Review of the Eules City Jail (ECJ) located in Eules, Texas, on April 14-15, 2008. The facility is operated by the Eules Police Department, which has a contract with the Immigration and Naturalization Service (INS). As noted on the attached documents, the team of Subject Matter Experts included [Redacted] b6,b7c Security; [Redacted] b6 Health Services; [Redacted] b6,b7c Safety; and [Redacted] b6, Food Services. A review closeout was conducted on April 15, 2008, with [Redacted] b6,b7c Chief of Police; [Redacted] b6,b7c, Assistant Chief of Police; Lieutenant [Redacted] b6,b7c, Jail Administrator; and Sergeant [Redacted] b6,b7c and included a discussion of all deficiencies and concerns noted during our review.

Type of Review:

This review is a scheduled Detention Standard Review to determine general compliance with established ICE National Detention Standards for facilities used for under 72 hours.

Review Summary:

The facility is not currently accredited by any correctional or health organizations.

Standards Compliance:

The following information summarizes the standards reviewed and the overall compliance for this review. The following statistical information outlined provides a direct comparison of the 2007 ADR and this ADR conducted for 2008.

<u>April 25, 2007</u>	<u>Review</u>	<u>April 14-15, 2008</u>	<u>Review</u>
Compliant	28	Compliant	25
Deficient	0	Deficient	2
At-Risk	0	At-Risk	0
Not-Applicable	0	Not-Applicable	1

Discipline Policy-Deficient

All facilities housing ICE detainees are authorized to impose discipline on detainees whose behavior is not in compliance with facility rules and regulations.

- Facility policy does not identify a written disciplinary system, which uses progressive levels of reviews and appeals. The policy states detainees can be sanctioned with loss of privileges, disciplinary isolation and possible formal charges; however, the policy does not describe any due process procedures to justify the imposition of sanctions.
- Facility rules do not prohibit disciplinary action from being capricious or retaliatory.
- Written rules do not prohibit staff from imposing the sanction "loss of correspondence privileges".
- The facility does not have a detainee handbook that informs detainees of the rules of conduct, sanctions, or procedures for violations. Likewise, this information is not disseminated to detainees verbally.
- Detainee rights and responsibilities, prohibited acts, disciplinary severity scale and sanctions are not posted in Spanish or English.
- The facility policy does not include provisions for informally handling minor rule violations.

Recommendations

Establish a written policy authorizing the facility to impose discipline on detainees whose behavior is not in compliance with facility rules and regulations. This policy should direct that disciplinary action is not to be capricious or retaliatory, that "loss of correspondence privileges" cannot be imposed as a disciplinary sanction, and it should contain provisions for informally handling minor rule violations. The rules of conduct, disciplinary sanctions and procedures for violations should be defined in writing and communicated to all detainees. Portions of the disciplinary policy containing detainee rights and responsibilities, prohibited acts, disciplinary severity scale and sanctions should be available in English and Spanish, and posted in the housing units.

Note: Although the Eules City Jail's disciplinary policy is deficient, their efforts to maintain a high measure of security and control of detainees is not without merit. This "Under 72 hour" facility is unable to employ a comparatively time-consuming disciplinary process since detainees would be removed from the facility before charges could be adjudicated.

Emergency Plans-Deficient

Every facility will develop plans and procedures for handling emergency situations reasonably likely to occur. The goal of these "contingency plans" is to control the situation without endangering lives or property.

The Eules City Jail's emergency plans do not cover work/food strikes, escapes, adverse weather or internal hostage situations. Additionally, there is no facility policy that mandates detainees will be protected from personal injury, disease, or property damage.

Recommendations

Plans and procedures should be developed for handling emergency situations reasonably likely to occur. These procedures should include statements addressing the protection of detainees from personal injury, disease, or property damage. Written procedures should cover work/food strikes, escapes, adverse weather, and internal hostage situations.

RIC Issues and Concerns

Environmental Health and Safety

Personal protective equipment (eye protection and eye wash station) is needed for staff or detainees using hazardous chemicals.

A technically qualified person should complete monthly fire and safety inspections.

Emergency exit floor plans and an area-specific exit diagram should be conspicuously posted in public areas.

Contraband:

Upon arrival at the facility, detainees should be notified of items they can and cannot possess.

Security Inspections:

A staff member should search each vehicle entering and leaving the facility.

Use of Force:

Staff members should be trained in the performance of the use-of-force team technique in addition to the two hours of self-defense tactics training they receive annually. The facility's use of force policy should be amended to provide staff direction on immediate use of force guidelines and requirements.

Recommended Rating and Justification

It is the Reviewer-in-Charge (RIC) recommendation that the facility receive a rating of "Acceptable." It is also recommended by the RIC that a Plan of Action be required for this facility to implement necessary corrective actions.

RIC Assurance Statement

All findings of this review have been documented on the Detention Review Worksheets and are supported by the written documentation contained in the review file.



DETENTION FACILITY INSPECTION FORM

FACILITIES USED LONGER THAN 72 HOURS

A. TYPE OF FACILITY REVIEWED

ICE Service Processing Center
 ICE Contract Detention Facility
 ICE Intergovernmental Service Agreement

B. CURRENT INSPECTION

Type of Inspection
 Field Office HQ Inspection
 Date[s] of Facility Review
 April 14-15, 2008

C. PREVIOUS/MOST RECENT FACILITY REVIEW

Date[s] of Last Facility Review
 April 25, 2007
 Previous Rating
 Superior Good Acceptable Deficient At-Risk

D. NAME AND LOCATION OF FACILITY

Name
 Euless Police Department
 Address
 1102 W. Euless Blvd
 City, State and Zip Code
 Euless, Texas 76040
 County
 Tarrant County
 Name and Title of Chief Executive Officer
 (Warden/OIC/Superintendent)
 Chief of Police b6,b7c
 Telephone Number (Include Area Code)
 817 b6,b7c
 Field Office / Sub-Office (List Office with Oversight)
 Dallas Field Office
 Distance from Field Office
 25 miles

E. ICE INFORMATION

Name of Inspector (Last Name, Title and Duty Station)
b6,b7c / RIC-Administration / Creative Corrections
 Name of Team Member / Title / Duty Location
b6,b7c / SME-Security / Creative Corrections
 Name of Team Member / Title / Duty Location
b6 / SME-Medical / Creative Corrections
 Name of Team Member / Title / Duty Location
b6 / SME-Food Service / Creative Corrections
 Name of Team Member / Title / Duty Location
b6,b7c SME-Safety / Creative Corrections

F. CDF/IGSA INFORMATION ONLY

Contract Number IGSA/DLS-6060-92 (Amended)	Date of Contract or IGSA February 23, 1991
Basic Rates per Man-Day \$55.00	

Other Charges: (If None, Indicate N/A)
 N/A
 Estimated Man-days per Year
 6000

G. ACCREDITATION CERTIFICATES N/A

List all State or National Accreditation[s] received:
 N/A

H. PROBLEMS / COMPLAINTS (COPIES MUST BE ATTACHED)

The Facility is under Court Order or Class Action Finding
 Court Order Class Action Finding
 The Facility has Significant Litigation Pending
 Major Litigation Life/Safety Issues
 None

I. FACILITY HISTORY

Date Built
 01/10/2002
 Date Last Remodeled or Upgraded
 N/A
 Date New Construction / Bed Space Added
 N/A
 Future Construction Planned
 Yes No Date: N/A
 Current Bed space Future Bed Space (# New Beds only)
 75 Number: N/A Date: N/A

J. TOTAL FACILITY POPULATION

Total Facility Intake for Previous 12 months
 9083
 Total ICE Man Days for Previous 12 months
 5717

K. CLASSIFICATION LEVEL (ICE SPCs AND CDFs ONLY)

	L-1	L-2	L-3
Adult Male	N/A	N/A	N/A
Adult Female	N/A	N/A	N/A

L. FACILITY CAPACITY

	Rated	Operational	Emergency
Adult Male	65	65	65
Adult Female	10	10	10

Facility Holds Juveniles Offenders 16 and Older as Adults

M. AVERAGE DAILY POPULATION

	ICE	USMS	Other
Adult Male	15	N/A	22
Adult Female	<1	N/A	2

N. FACILITY STAFFING LEVEL

Security: b2High
 Support:

SIGNIFICANT INCIDENT SUMMARY WORKSHEET

In order for Creative Corrections to complete its review of your facility, you must complete the following worksheet prior to your scheduled review dates. This worksheet must contain data for the past twelve months. We will use this worksheet in conjunction with the ICE Detention Standards to assess your detention operations with regard to the needs of ICE and its detainee population. Failure to complete this worksheet will result in a delay in processing this report, and may result in a reduction or removal of ICE detainees from your facility.

INCIDENTS	DESCRIPTION	Jan – Mar	Apr – Jun	Jul – Sep	Oct – Dec
Assault: Offenders on Offenders ¹	Types (Sexual ² , Physical, etc.)	0	0	0	0
	With Weapon	0	0	0	0
	Without Weapon	0	0	0	0
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	0	0	0	0
	With Weapon	0	0	0	0
	Without Weapon	0	0	0	0
Number of Forced Moves, incl. Forced Cell Moves ³		0	0	0	0
Disturbances ⁴		0	0	0	0
Number of Times Chemical Agents Used		1	0	1	0
Number of Times Special Reaction Team Deployed/Used		0	0	0	0
# Times Four/Five Point Restraints Applied/Used	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	0	0	0	0
	Type (C=Chair, B=Bed, BB=Board, O=Other)	0	0	0	0
Offender / Detainee Medical Referrals as a Result of Injuries Sustained.		0	0	0	0
Escapes	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances:	# Received	0	0	0	0
	# Resolved in Favor of Offender/Detainee	0	0	0	0
Deaths	Reason (V=Violent, I=Illness, S=Suicide, A=Attempted Suicide, O=Other)	0	0	0	0
	Number	0	0	0	0
Psychiatric / Medical Referrals	# Medical Cases Referred for Outside Care	0	1	6	5
	# Psychiatric Cases Referred for Outside Care	0	0	0	0

¹ Any attempted physical contact or physical contact that involves two or more offenders

² Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting

³ Routine transportation of detainees/offenders is not considered "forced"

⁴ Any incident that involves four or more detainees/offenders, includes gang fights, organized multiple hunger strikes, work stoppages, hostage situations, major fires, or other large scale incidents

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DHS/ICE DETENTION STANDARDS REVIEW SUMMARY REPORT

1. ACCEPTABLE	2. DEFICIENT	3. AT-RISK	4. REPEAT FINDING	5. NOT APPLICABLE						
LEGAL ACCESS STANDARDS					1.	2.	3.	4.	5.	
1.	Visitation				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2.	Telephone Access				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
DETAINEE SERVICES										
3.	Admission and Release				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.	Classification System				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5.	Detainee Handbook				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6.	Food Service				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
7.	Funds and Personal Property				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Detainee Grievance Procedures				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
9.	Issuance and Exchange of Clothing, Bedding, and Towels				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
10.	Religious Practices				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
HEALTH SERVICES										
11.	Medical Care				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
12.	Suicide Prevention and Intervention				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
SECURITY AND CONTROL										
13.	Contraband				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
14.	Detention Files				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	Disciplinary Policy				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
16.	Emergency Plans				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
17.	Environmental Health and Safety				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
18.	Hold Rooms in Detention Facilities				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
19.	Key and Lock Control				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
20.	Population Counts				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
21.	Security Inspections				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
22.	Special Management Units (Administrative Detention)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
23.	Special Management Units (Disciplinary Segregation)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
24.	Tool Control				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
25.	Transportation (Land management)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26.	Use of Force				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
27.	Staff/ Detainee Communication (Added August 2003)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
28.	Detainee Transfer (Added September 2004)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

ALL FINDINGS OF DEFICIENT AND AT-RISK REQUIRE WRITTEN COMMENT DESCRIBING THE FINDING AND WHAT IS NECESSARY TO REACH COMPLIANCE.

RIC REVIEW ASSURANCE STATEMENT

BY SIGNING BELOW, THE REVIEWER-IN-CHARGE (RIC) CERTIFIES THAT:

ALL FINDINGS OF NON-COMPLIANCE WITH POLICY OR INADEQUATE CONTROLS, AND FINDINGS OF NOTEWORTHY ACCOMPLISHMENTS, CONTAINED IN THIS INSPECTION REPORT, ARE SUPPORTED BY EVIDENCE THAT IS SUFFICIENT AND RELIABLE; AND WITHIN THE SCOPE OF THIS REVIEW, THE FACILITY IS OPERATING IN ACCORDANCE WITH APPLICABLE LAW AND POLICY, AND PROPERTY AND RESOURCES ARE BEING EFFICIENTLY UTILIZED AND ADEQUATELY SAFEGUARDED, EXCEPT FOR ANY DEFICIENCIES NOTED IN THE REPORT.

REVIEWER-IN-CHARGE	
Reviewer-In-Charge: (Print Name) <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div>	Signature <div style="background-color: black; color: white; padding: 2px; display: inline-block;">b6,b7c</div>
Title & Duty Location Reviewer in Charge, Creative Corrections	Date April 19, 2008

TEAM MEMBERS	
Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div> SME-Security, Creative Corrections	Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6</div> SME-Medical, Creative Corrections
Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6</div> SME-Food Service, Creative Corrections	Print Name, Title, & Duty Location <div style="background-color: black; color: white; padding: 2px;">b6,b7c</div> SME-Safety, Creative Corrections

- RECOMMENDED RATING:**
- SUPERIOR
 - GOOD
 - ACCEPTABLE
 - DEFICIENT
 - AT-RISK

COMMENTS: The Eules City Jail is operated as a relatively small holding facility in support of the Eules Chief of Police. Consequently, the detainees (both local offenders and ICE detainees) are housed for a very short time. The local offenders are typically bonded out within hours or transferred to county facilities in less than 72 hours. The ICE detainees are housed only overnight and rarely exceed a stay of less than 24 hours. Consequently, many of the ICE Standards which apply to longer term incarcerations do not directly relate or apply to this facility. The Disciplinary Policy standard is an example of this. Administrative rules and the hearing process do not exist at this facility. However, for a facility with this short average length of incarceration, a formal process of rules and responsibilities and subsequent administrative review process would not favorably impact the operation. The facility staff has an informal resolution process to intervene, separate, and more highly supervise those who act out until they are relocated to a longer term facility. No evidence or history of this method causing threat or harm to ICE detainees, or others, was apparent during this review. Therefore, the deficiency in the disciplinary standard negatively affected the overall rating, but will not diminish the future safety of ICE detainees.

HEADQUARTERS EXECUTIVE REVIEW

Review Authority

The signature below constitutes review of this report and acceptance by the Review Authority. OIC/CEO will have ~~30 days~~ from receipt of this report to respond to all findings and recommendations.

HQDRO EXECUTIVE REVIEW: (Please Print Name) b6,b7c	Signature b6,b7c
Title Acting Chief, Detention Standards Compliance Unit	Date 5/30/08

Final Rating:

- Acceptable**
 Deficient
 At-Risk

Comments: The Review Authority concurs with the "Acceptable" rating. A Plan of Action is required to correct the deficiencies identified in the Emergency Plans, Discipline Policy, Environmental Health and Safety, Contraband, Security Inspections, and Use of Force standards.