



U.S. Department of Homeland Security

Immigration and Customs Enforcement

Office of Professional Responsibility

Inspections and Detention Oversight Division

Washington, DC 20536-5501

**Office of Detention Oversight
Compliance Inspection**

Enforcement and Removal Operations

ERO San Antonio Field Office

Laredo Processing Center

Laredo, Texas

July 14–16, 2015

**COMPLIANCE INSPECTION
for the
LAREDO PROCESSING CENTER
LAREDO, TEXAS**

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INSPECTION TEAM MEMBERS

	Lead Inspections and Compliance Specialist	ODO
	Inspections and Compliance Specialist	ODO
	Contractor	Creative Corrections
(b)(6), (b)(7)c	Contractor	Creative Corrections
	Contractor	Creative Corrections
	Contractor	Creative Corrections

EXECUTIVE SUMMARY

The Office of Detention Oversight (ODO) conducted a compliance inspection of the Laredo Processing Center (LPC) in Laredo, Texas, from July 14 to 16, 2015.¹ LPC opened in 1985 and is owned and operated by the Corrections Corporation of America (CCA). Enforcement and Removal Operations (ERO) began housing detainees at FDC in 1985 pursuant to an Intergovernmental Service Agreement (IGSA), under the oversight of ERO’s Field Office Director (FOD) in San Antonio, Texas.

ERO staff members are assigned to the facility. A Detention Services Manager is not assigned to the facility. A CCA Warden is responsible for oversight of daily facility operations and is supported by (b)(7)e personnel. Trinity Food Service provides food services, and CCA provides medical care at the facility. The facility holds no accreditations. The facility is not contractually obligated to comply with ICE Performance-Based National Detention Standards (PBNDS) 2011, Sexual Abuse and Assault Prevention and Intervention (SAAPI) standard but made efforts to comply.⁴

Capacity and Population Statistics	Quantity
ICE Detainee Bed Capacity ²	400
Average ICE Detainee Population ³	263
Male Detainee Population (as of 07/14/2015)	0
Female Detainee Population (as of 07/14/15)	310

OVERALL FINDINGS

In April 2009, ODO (at the time Detention Facilities Inspection Group) conducted an inspection of LPC under the National Detention Standards (NDS) 2000, reviewing the facility’s compliance with 15 standards and finding LPC compliant with 13 standards. There were a total of two deficiencies in the remaining two standards.

Inspection Results Compared	FY 2009 (NDS 2000)	FY2015 (NDS 2000)
Standards Reviewed	15	15
Deficient Standards	2	2
Overall Number of Deficiencies	2	2
Corrective Actions Initiated	0	1
Deficient Priority Components	N/A	N/A

In FY2015, ODO conducted an inspection of LPC under the NDS 2000, reviewing the facility’s compliance with 15 standards and finding the facility compliant with 13 standards. ODO found two deficiencies under the remaining two standards. Finally, ODO identified one opportunity where the facility initiated corrective action during the course of the inspection.⁵

¹ Female detainees with low, medium and high security classification levels are detained at the facility for longer than 72 hours.

² Data Source: ERO Facility List Report as of July 6, 2015

³ Ibid.

⁴ The facility has a stated zero tolerance policy and has appointed a Prison Rape Elimination Act (PREA) compliance manager. The facility has a Sexual Abuse Prevention and Response policy and a program for complying with PREA requirements. All staff members and contractors receive facility-provided PREA training.

⁵ Corrective actions, where immediately implemented, best practices and ODO recommendations, as applicable, have been identified in the Inspection Findings section and annotated with a “C”, “BP” or “R”, respectively.

FINDINGS BY NDS 2000 MAJOR CATEGORIES

NDS 2000 STANDARDS INSPECTED ⁶	DEFICIENCIES
Part 1 – Detainee Services	
Access to Legal Material	0
Admission and Release	0
Detainee Classification System	0
Detainee Grievance Procedures	1
Detainee Handbook	0
Food Service	0
Funds and Personal Property	0
Staff-Detainee Communication	1
Telephone Access	0
Sub-Total	2
Part 2 – Security and Control	
Environmental Health and Safety	0
Special Management Unit (Administrative)	0
Special Management Unit (Disciplinary)	0
Use of Force	0
Sub-Total	0
Part 3 – Health Services	
Medical Care	0
Suicide Prevention and Intervention	0
Sub-Total	0
Total Deficiencies	2

⁶ For greater detail on ODO's findings, see the *Inspection Findings* section of this report.

INSPECTION PROCESS

Every fiscal year, the Office of Detention Oversight (ODO), a unit within U.S. Immigration and Customs Enforcement's (ICE) Office of Professional Responsibility (OPR), conducts compliance inspections at detention facilities in which detainees are accommodated for periods in excess of 72 hours and with an average daily population greater than ten to determine compliance with the applicable ICE National Detention Standards (NDS) 2000, the Performance-Based National Detention Standards (PBNDS) 2008 or 2011.

During the compliance inspection, ODO reviews each facility's compliance with those detention standards that directly affect detainee health, safety, and/or well-being.⁷ Any violation of written policy specifically linked to ICE detention standards, ICE policies, or operational procedures that ODO identifies is noted as a deficiency. ODO will highlight any deficiencies found involving those standards that ICE has designated with either the PBNDS 2008 or 2011 to be "priority components."⁸ Priority components have been selected from across a range of detention standards based on critical importance, given their impact on facility security and/or the health and safety, legal rights, and quality of life of detainees in ICE custody.

Immediately following an inspection, ODO hosts a closeout briefing in person with both facility and ERO field office management to discuss their preliminary findings, which are summarized and provided to ERO in a preliminary findings report. Thereafter, ODO provides ERO with a final compliance inspection report to: (i) assist ERO in working with the facility to develop a corrective action plan to resolve identified deficiencies; and (ii) provide senior ICE and ERO leadership with an independent assessment of the overall state of ICE detention facilities. The reports enable senior agency leadership to make decisions on the most appropriate actions for individual detention facilities nationwide.

⁷ ODO reviews the facility's compliance with selected standards in their entirety.

⁸ Priority components have not been identified for the NDS.

DETAINEE RELATIONS

ODO interviewed 30 detainees, who volunteered to participate. None of the detainees made allegations of mistreatment, abuse, or discrimination. The majority of detainees reported being satisfied with facility services, with the exception of the complaints below:

- *Food Service:* Ten detainees alleged food is served cold or raw and is not rotated.
 - o Action Taken: ODO measured the temperature of the food during lunch service and determined the meals were served at the appropriate temperatures. The food service staff notified ODO that the facility has a certified meal rotation schedule in place.

- *Telephone Access:* Two detainees alleged they do not have access to the telephones.
 - o Action Taken: ODO reviewed the detainee handbook, which reveals detainees must purchase a calling card through commissary or detainees can make collect calls without a calling card. ERO staff discussed the use of the phones and calling cards with the detainees.

INSPECTION FINDINGS

DETAINEE SERVICES

DETAINEE GRIEVANCE PROCEDURES (DGP)

ODO reviewed facility policy and confirmed in interviews with facility staff the facility does not have a grievance committee to review a formal written grievance (**Deficiency DGP-1⁹**).

Corrective Action: The facility initiated corrective action by creating a grievance committee consisting of the Grievance Coordinator, a Security Staff representative, and an ERO representative. A memorandum of the information was posted in the detainee housing units (**C-1**).

STAFF-DETAINEE COMMUNICATION (SDC)

ODO reviewed 30 requests from April 2015 to July 2015 and verified that requests were responded to within 72 hours, but determined through review of associated detention files and interviews of knowledgeable facility staff at least ten of the completed detainee requests were not filed in the detainee's detention file and maintained for at least three years (**Deficiency SDC-1¹⁰**).

⁹ "The OIC must allow the detainee to submit a formal, written grievance to the facility's grievance committee." See ICE NDS 2000, Standard, Detainee Grievance Procedures, Section (III)(A)(2).

¹⁰ "All completed Detainee Requests will be filed in the detainee's detention file and will remain in detainee's detention file for at least three years." See ICE NDS 2000, Standard, Staff-Detainee Communication, Section (III)(B)(2).