



The Nakamoto Group, Inc.

October 1, 2020

TO: [REDACTED]
Assistant Director for Detention Management

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

SUBJECT: **Annual Inspection of the Torrance County Detention Facility**

The Nakamoto Group, Inc. performed an annual inspection for compliance with the ICE Performance-Based National Detention Standards (PBNDS) 2011 of the Torrance County Detention Facility in Estancia, New Mexico during the period of September 29, 2020, to October 1, 2020. 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 PBNDS 2011 for Over 72-hour facilities. The facility received a rating of Meets Standards during the November 2019 annual inspection.

Inspection Summary

The Torrance County Detention Facility 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 90-day follow-up inspection and 2020 PBNDS annual compliance inspections:



| 2019 Annual Inspection 90-day follow-up | |
|--|----|
| Meets Standards | 39 |
| Does Not Meet Standards | 0 |
| Repeat Finding | 0 |
| Not Applicable | 3 |

| 2020 Annual Inspection | |
|-------------------------------|----|
| Meets Standards | 39 |
| Does Not Meet Standards | 0 |
| Repeat Finding | 0 |
| Not Applicable | 3 |

The inspection team identified one (1) deficient component in the following one (1) standard:

Staff Training - 1

Facility Snapshot/Description

The Torrance County Detention Facility is in Estancia, New Mexico, approximately fifty miles southwest of Albuquerque. The facility is owned and operated by CoreCivic.

[REDACTED] The facility [REDACTED] houses all classification levels. Detainees are classified by ICE before their arrival. ICE detainees are not housed with non-ICE detainees. [REDACTED]

The compound contains the main facility and three out-buildings that are all surrounded by two sixteen-foot-high chain link fences supplemented with razor ribbon on top and bottom, and an electric stun fence to complete the secure perimeter. Surveillance cameras offer visibility to the entire perimeter and interior movement corridors. The facility is equipped with a 199-surveillance camera network, that is monitored 24-hours a day by central control officers. All exterior building doors and interior security gates and doors are under constant camera surveillance and controlled by central control staff.

There are five housing units divided into sub-sections for a total of eight separate living areas that are configured into cell and dormitory designs. Five of the living areas are further divided into four sub-sections containing either 38 or 40 beds each. Two dormitory living areas contain 75 beds each; there is one special management unit (SMU) living area designed with eighteen two-bed cells. There was one ICE detainee in segregation status during the inspection. The facility dedicated part of one living area that currently serves as a COVID-19 housing unit; it was empty during the inspection.

Each living area, except the SMU, has a common dayroom which is equipped with a television, fixed table/chair units for detainees to eat their meals, play games, and gather for conversation. Electronic tablets are available for all detainees to send and receive emails, make telephone calls, play games, read books, participate in video-visits, send requests directly to facility staff and ICE/ERO personnel, and to file grievances. Tablets include the LexisNexis collection, the local handbook, and all posted announcements and bulletins. Detainees are provided indoor and outdoor recreation.



Inspectors interviewed 22 English and non-English speaking detainees with some assistance from the language line interpreters. Generally, the detainees felt safe in the facility; however, six detainees stated they felt a racist attitude from the officers and one captain. The Detainee Rights SME discussed this topic with the OIC who stated he was aware of the captain incident and would give consideration and review to the other reported concerns. Detainees reported they received their handbooks and had no substantive concerns about medical treatment. The Medical SME discussed the minimal minor health care complaints with the health services administrator. The identified detainees were seen by the health care unit and received the proper medical care in all cases. Follow-up care was scheduled and will be scheduled for those detainees whose conditions present a need. There was a general dislike for the food, i.e. watery rice, mushy potatoes, bad lettuce, no meat, etc. The Safety SME discussed the comments with the food service director who concluded the menu does not reflect the comments and the meals have all been approved by a registered dietician. No further action was determined necessary. There was a general concern that the bathrooms were dirty because the detainees could not get the proper cleaning supplies. The Detainee Rights SME discussed this topic with the OIC. The OIC claimed the complaints were not true but he would investigate the matter further.

An incident where 29 detainees declared they were on a hunger strike took place from May 12-14, 2020. The detainees cited concerns about COVID-19 and added other general complaints to the agenda. The Detainee Rights SME discussed the issue with the OIC who claimed the reaction was primarily due to COVID-19 restrictions and testing. The detainees felt the precautions were not protective enough to guard their health. Discussions between staff and the detainees ensued and ultimately resulted in the declaration lasting less than 72 hours.

An assessment of the general cleanliness of the facility could not be determined due to the remote nature of the inspection.

Detainee telephone services are provided by Talton Communication. Medical services are provided by CoreCivic. Food service operations are contracted with Trinity Group. ICE detainees are not charged medical co-pays.

Areas of Concern/Significant Observations

There was a notable number of staff misconduct grievances filed during the first eight months of 2020. Of the 84 grievances filed, 62 alleged staff misconduct; 46 of those were substantiated in the detainee's favor. 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 Standards 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) 2011 for Over-72 hour facilities. No (0) Standards were rated as Does Not Meet Standards and three (3) standards were Not Applicable (N/A). All remaining thirty-nine (39) standards were found to be in compliance.



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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. A telephone, call-in out brief was conducted at the facility. In addition to the entire Nakamoto Group, Inc. Inspection Team, there was facility and ICE/ERO personnel who phoned in and listened to the final comments.

[Redacted]

[Redacted], Lead Compliance Inspector

October 1, 2020

Printed Name of LCI

Date

[Redacted]