



**U.S. Department of Homeland Security**  
Immigration and Customs Enforcement  
Office of Professional Responsibility  
Management Inspections and Detention Oversight  
Washington, DC 20536-5501

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## Office of Detention Oversight Follow-Up Inspection

Enforcement and Removal Operations  
San Antonio Field Office  
T. Don Hutto Residential Center  
Taylor, TX

July 13 - 14, 2011

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# TABLE OF CONTENTS

## INSPECTION PROCESS

Report Organization.....	1
Inspection Team Members.....	1

OVERVIEW .....	2
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## RESIDENTIAL STANDARDS

Funds and Personal Property .....	3
Law Libraries and Legal Material.....	4
Medical Care.....	5

LIST OF ACRONYMS .....	6
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# INSPECTION PROCESS

An Office of Detention Oversight (ODO) inspection primarily focuses on areas of noncompliance with the Immigration and Customs Enforcement (ICE) National Detention Standards (NDS), the Performance Based National Detention Standards (PBNDs), and the Residential Standards (RS), as applicable. In addition, ODO may focus on the level of management provided by the Office of Enforcement and Removal Operations (ERO) Headquarters and ERO field offices on detention management and issues of high priority or interest to ICE executive management. Inspection objectives are to evaluate the welfare, safety, and living conditions of detainees, and to determine compliance with applicable laws, policies, regulations, and procedures.

In June 2010, ODO conducted a Quality Assurance Review (QAR) of the T. Don Hutto Residential Center (TDHRC) in Taylor, TX, which is under the jurisdiction of the ERO Field Office Director (FOD), San Antonio, TX (FOD/San Antonio). ICE Residential Standards apply to this facility. This Follow-up Inspection was conducted to determine whether corrective action had been taken to resolve deficiencies identified during the QAR.

## REPORT ORGANIZATION

This report documents corrected and remaining deficiencies identified in the QAR report submitted to ERO. A summary of findings is provided in the Overview. Uncorrected deficiencies are detailed under the relevant RS section.

This report documents Follow-up Inspection results, serves as an official record, and is intended to provide senior management with a concise evaluation of compliance with policy and standards. Further, it provides useful feedback on the effectiveness and efficiency of the areas inspected. Comments and questions regarding the report findings should be forwarded to the OPR Deputy Division Director, Office of Detention Oversight.

## INSPECTION TEAM MEMBERS

(b)(6)(b)(7)(C)

Special Agent (Team Leader)  
Special Agent  
Contract Inspector

ODO, Houston  
ODO, Houston  
MGT of America, Inc.

## OVERVIEW

During the June 2010 ODO QAR, a total of 20 deficiencies to be addressed and corrected were found in the following 15 areas:

- Admission and Release
- Discipline and Behavior Management
- Emergency Plans
- Funds and Personal Property
- Law Libraries and Legal Material
- Medical Care
- Personal Hygiene
- Post Orders
- Recreation
- Residential Files
- Sexual Abuse and Assault Prevention and Intervention
- Staff-Resident Communication
- Transfer of Residents
- Transportation
- Visitation

During the Follow-up Inspection, ODO noted three (15%) repeated deficiencies within the following three RS:

- Funds and Personal Property
- Law Libraries and Legal Material
- Medical Care

During this inspection, the Funds and Personal Property and Law Libraries and Legal Material deficiencies were corrected on-site by amendments to the resident handbook. The TDHRC Quality Assurance Manager advised that the resident handbook is undergoing an annual revision and updates, including those noted in this report, will be included in the new handbook. With respect to the Medical Care deficiency, ODO was advised TDHRC is scheduled for accreditation review by the Joint Commission on the Accreditation of Health Care Organizations (JCAHO) in October 2011. If received, this accreditation will resolve the remaining deficiency.

# ICE RESIDENTIAL STANDARDS

## FUNDS AND PERSONAL PROPERTY

ODO identified one deficiency in this area during the QAR. The deficiency had not been corrected.

**ODO QAR Finding:** In accordance with the ICE RS, Funds and Personal Property, section (V)(3)(d), the FOD must ensure the resident handbook or equivalent shall notify the residents of facility policies and procedures concerning personal property, including: The procedure for claiming their property upon release, transfer, or removal.

The QAR stated that “TDHRC’s handbook does not notify residents of policies and procedures on how to obtain a certified copy of identity documents, claiming property upon release, or filing a claim for lost or damaged property.”

**ODO Follow-Up Finding:** ODO reviewed the TDHRC handbook and determined the facility handbook includes information on how to obtain a certified copy of identity documents and how to claim property upon release. However, the TDHRC handbook does not advise residents of the procedures for claiming personal property upon release, transfer or removal. The facility corrected this deficiency on-site with an addendum to the TDHRC handbook, citing the procedures for claiming personal property upon release, transfer, or removal.

## LAW LIBRARIES AND LEGAL MATERIAL

ODO identified one deficiency in this area during the QAR. The deficiency had not been corrected.

**ODO QAR Finding:** In accordance with the ICE RS, Law Libraries and Legal Material, section (V)(14)(c), the FOD must ensure the resident handbook (or equivalent) shall provide residents with the rules and procedures governing access to legal materials, including the following information: The procedure for requesting additional time in the law library (beyond the 5-hour per week minimum).

The QAR stated that “TDHRC’s handbook does not include the procedures for requesting additional time in the law library, requesting legal reference materials not maintained in the law library, or notifying staff that library materials are missing or damaged. These rules and procedures, along with the law library’s holdings, are not posted in the library.”

**ODO Follow-Up Finding:** The TDHRC handbook and a notice posted in the law library now inform residents about the process to request materials not maintained in the law library and to notify staff that library materials are missing and/or damaged. The posting also advises residents of the procedure for requesting additional law library time beyond the 5-hour per week minimum; however, the TDHRC handbook did not include this information. The facility corrected this deficiency during the ODO inspection with an addendum to the facility handbook that provides instruction to residents regarding requests of additional time in the law library.

## MEDICAL CARE

ODO identified three deficiencies in this area during the QAR. One deficiency was found not corrected.

**ODO QAR Finding:** In accordance with ICE RS, Medical Care, section (V)(1), the FOD must ensure the health care program and the medical facilities shall be under the direction of a health services administrator (HSA) and shall be accredited and maintain compliance with the standards of the Joint Commission on the Accreditation of Health Care Organizations (JCAHO).

The QAR stated that “TDHRC does not maintain an accreditation with the Joint Commission on the Accreditation of Health Care Organizations (JCAHO).”

**ODO Follow-Up Finding:** The Acting HSA at TDHRC stated the facility is scheduled for accreditation review by JCAHO in October 2011.

## LIST OF ACRONYMS

ACA	American Correctional Association
AFOD	Assistant Field Office Director
DIHS	Division of Immigration Health Services
COTR	Contracting Officer Technical Representative
CO	Correctional Officer
DO	Deportation Officer
DDO	Detention and Deportation Officer
ERO	Enforcement and Removal Operations
DSCU	Detention Standards Compliance Unit
DSM	Detention Service Manager
EABM	ENFORCE Alien Booking Module
EADM	ENFORCE Alien Detention Module
EARM	ENFORCE Alien Removal Module
ERO	Enforcement and Removal Operations
FOD	Field Office Director
FR	Focus Review
FSA	Food Service Administrator
FU	Follow-Up
HQ	Headquarters
ICE	U. S. Immigration and Customs Enforcement
IDP	Institutional Disciplinary Panel
IEA	Immigration Enforcement Agent
IGSA	Intergovernmental Service Agreement
JICMS	Joint Integrity Case Management System
MGT	MGT of America, Inc.
MSDS	Material Safety Data Sheets
NDS	National Detention Standards
OIC	Officer in Charge
ODO	Office of Detention Oversight
OPR	Office of Professional Responsibility
PBNDS	Performance Based National Detention Standards
POA	Plan of Action
R&D	Receiving and Discharge
RS	Residential Standards
SDDO	Supervisory Detention and Deportation Officer
SIR	Significant Incident Report
SMU	Special Management Unit
TAR	Treatment Authorization Request
QAR	Quality Assurance Review
UDC	Unit Disciplinary Committee