

Information contained in the report authored by OneAmerica/University of Seattle contains numerous inaccuracies and vague references that cannot be corroborated or independently verified. ICE was never given the opportunity to respond to the accusations before the report was released.

ICE has four detention facilities owned and operated by GEO Group:

- Aurora (Denver)
- Broward Transition Center (Miami)
- LaSalle Detention Center (Jena, LA)
- Northwest Detention Center (Tacoma, WA)

More information about ICE detention facilities is available at this link:

<http://www.ice.gov/pi/dro/facilities.htm>

The Northwest Detention Center (NWDC) is located in Tacoma, Washington, and is a contract facility owned and operated by the GEO Group, Inc. The contract is governed by ICE, and the GEO Group must meet all ICE National Detention Standards. The NWDC is accredited by the American Correctional Association and has consistently been found in compliance with ICE's National Detention Standards. The NWDC is rated to detain a maximum population of 1,069 detainees; since October 1, 2007 the average daily population in the facility is 965. All detainees housed at the NWDC are immigration detainees; approximately 31% of these detainees have criminal records. Only very rarely are detainees transferred from the Facility.

Below are our responses to allegations made in the report.

- **Excessive strip searches:** ICE policy allows for strip searches of detainees only when officers have a reasonable suspicion to believe that the detainee has acquired contraband or weapons and, in those instances, only after supervisory approval has been obtained to conduct the strip search. The NWDC tracks incidents where detainees are strip searched; between June 2005 and July 15, 2008, a total of 80 detainees have strip searched based upon reasonable suspicion. In at least one of these instances, a violation was discovered where an attorney passed tobacco to a detainee in violation of facility standards. The allegation of excessive strip searches is without merit.

- **Overcrowding:** The Northwest Detention Center has a rated capacity of 1,069 detainees. Since October 1, 2007, the average daily population in the facility has been 965, and the population on July 15, 2008 is 989. No detainee has been housed without a bed or required to sleep on the floor. This allegation is baseless.
- **Lack of due process:** Since 2004, the Northwest Detention Center has provided basic information to all incoming detainees with the assistance of the Northwest Immigrant Rights Project (NWIRP), a community-based organization that has been involved in immigration law representation since 1984. NWIRP representatives are present in the facility four days a week, 5-6 hours a day, and provide a Legal Orientation Program briefing for new arrivals every morning. A Microsoft-funded project called "Volunteer Advocates for Immigrant Justice" (VAIJ) provides a *pro bono* attorney from Perkins Coie, LLP who oversees intake and assignment of NWDC cases, primarily those seeking asylum, in coordination with the Northwest Immigrants Rights Project. This attorney visits the NWDC at least twice a month.

DRO Officials meet quarterly with immigration attorneys of the American Immigration Lawyers Association (AILA), and have discussed and resolved issues involving the NWDC, including attorney access outside of normal business hours. Each detainee entering into ICE custody is provided a list of free legal services in the local area, access to telephones for calls to attorneys and access to the NWDC law library.

- **Degrading treatment and verbal abuse by guards:** ICE's National Detention Standards prohibit any form of detainee abuse, and any report of misconduct is investigated immediately. If allegations of misconduct are found to be substantiated, appropriate disciplinary action is taken, and may include removal of the offending employee. Public notices in English and Spanish are posted in the facility providing detainees with contact information for the DHS Office of the Inspector General, who investigates allegations of misconduct in ICE contract detention facilities such as the NWDC. The NWDC has an established grievance procedure consistent with the ICE National Detention Standards and ICE officers process an average of 15 grievances a month. NWDC is accredited by the American Correctional Association, the Joint Commission of the Accreditation of Health Care Organizations (Joint Commission), the National Commission on Correctional Health Care (NCCHC), and maintains compliance with all 38 of the ICE National Detention Standards.

- **Sub-par conditions at the jail:** As mentioned above, NWDC maintains compliance with standards set forth by the ACA, the Joint Commission, the NCCHC, and ICE. The ICE Detention Facilities Inspection Group (DFIG), a unit within the ICE Office of Professional Responsibility, conducted an inspection in the NWDC within the last year and found no major deficiencies.
- **No accountability around conditions and standards:** In fact, ICE has multiple layers of audits and accountability at NWDC and all its facilities. In addition to the audits and inspections necessary to receive accreditation from ACA, the Joint Commission, and the NCCHC, ICE has contracted with an independent company, the Nakamoto Group, to inspect its agency-owned and contract detention facilities on a regular basis. The Nakamoto Group employs experienced correctional professionals who regularly inspect these detention facilities to ensure compliance with the detention standards set forth by the aforementioned accrediting bodies. A Nakamoto Group correctional professional is permanently assigned to the NWDC for this purpose. In 2007, ICE created a dedicated unit within the Office of Professional Responsibility whose sole purpose is to review ICE detention facilities for compliance with the detention standards of the aforementioned accrediting bodies, the Detention Field Inspection Group (DFIG), which conducted an audit at the NWDC within the past year.
- **U.S. Marshals denied some detainees access to restrooms for seven hours during flights from Seattle in 2007:** ICE contacted the Justice Prisoner Alien Transportation System (JPATS), an agency of the US Marshals Service which transports detainees for ICE, in connection with this allegation. JPATS has no record of such an occurrence ever taking place. JPATS policy states that one prisoner at a time may use the restroom during flights. Detainees are not denied bathroom privileges on JPATS flights.
- **A man under treatment for a cancerous brain tumor was deported -** This assertion is misleading. This individual came into ICE custody after his tumor had been successfully treated. Division of Immigration Health Services doctors worked directly with the hospital that performed the surgery to determine the detainee's condition and provide appropriate care. DIHS determined that this detainee was, as a result of the tumor, subject to seizures that could be controlled by daily medication. Once this individual was deemed medically capable to travel by DIHS, he was deported from the United States. At no time was this individual's health jeopardized by DRO action.

- **Immigrants were pressured to sign documents they did not fully understand:** ICE employees and officers are prohibited from compelling any detainee to take actions against their will. ICE does not tolerate such activity, and any reports of such activity are vigorously investigated by ICE's OPR or the DHS OIG. The absence of specific information regarding these allegations, however, makes it impossible to investigate these allegations. ICE is unaware of any allegations of this type of employee misconduct.
- **Lack of meeting rooms:** There are sufficient rooms and means to accommodate any reasonable request for attorney/client meetings. There are four rooms available for attorney/client contact at the NWDC. In addition, there are 15 no-contact rooms available. The issue of attorney/client conferences at NWDC is discussed in ICE's quarterly meetings with attorneys from the American Immigration Lawyers Association, and at their request, ICE previously agreed to arrange attorney/client meetings at any time outside regular business hours.
- **Detainee death:** This person came to the NWDC from the King County, WA jail. He was in detention for less than 48 hours when medical staff noted he was in acute distress and immediately transferred him to the hospital for emergency treatment. He was later pronounced dead at the hospital. The Pierce County Medical Examiner performed an autopsy and determined the cause of death to be due to coronary artery disease.