

Office of Professional Responsibility

New Hanover County Jail Inspection 2024-003-430

August 20-22, 2024



U.S. Immigration
and Customs
Enforcement



U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
ICE Inspections
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**Office of Detention Oversight
Special Review
2024-003-430**

**Enforcement and Removal Operations
ERO Atlanta Field Office**

**New Hanover County Jail
Castle Hayne, North Carolina**

August 20-22, 2024

**SPECIAL REVIEW
of the
NEW HANOVER COUNTY JAIL
Castle Hayne, North Carolina**

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SPECIAL REVIEW TEAM MEMBERS



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FACILITY OVERVIEW

The U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) Office of Detention Oversight (ODO) conducted a special review of the New Hanover County Jail (NHCJ) in Castle Hayne, North Carolina, from August 20 to 22, 2024.¹ The facility opened in 2004 and is owned by New Hanover County and operated by the New Hanover County Sheriff’s Office. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at NHCJ in 2012 under the oversight of ERO’s Field Office Director in Atlanta (ERO Atlanta). ICE is an authorized user of this facility under a United States Marshals Service Intergovernmental Agreement contract, which does not specify an ICE National Detention Standard (NDS), and ODO inspected to the NDS listed on the ERO Custody Management Division Authorized Facility List as of August 19, 2024. NHCJ was inspected against the NDS 2019, and ODO’s assigned rating is for ERO’s informational purposes only.²

[REDACTED] An NHCJ major handles daily facility operations and manages [REDACTED] support personnel. Summit Food Service provides food services, WellPath provides medical care, and McDaniel Supply provides commissary services at the facility. The facility was accredited by the National Commission on Correctional Health Care in January 2019 and the American Correctional Association in August 2021.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ³	[REDACTED]
Average ICE Population ⁴	[REDACTED]
Adult Male Population (as of August 20, 2024)	[REDACTED]
Adult Female Population (as of August 20, 2024)	[REDACTED]

During its last rated inspection in Fiscal Year (FY) 2023, ODO found 28 deficiencies in the following areas: Admission and Release (1); Detainee Grievance Procedures (3); Environmental Health and Safety (18); Food Service (2); Medical Care (1); Special Management Unit (Disciplinary Segregation) (2); and Staff-Detainee Communication (1).

¹ This facility holds male and female detainees with low, medium-low, medium-high, and high security classification levels for periods less than 72 hours.

² Beginning in FY 2024, ERO Custody Management Division requested ODO inspect facilities against NDS 2019 that were previously inspected against NDS 2000.

³ Data Source: ERO Custody Management Division Authorized Facility List as of August 19, 2024.

⁴ *Ibid.*

SPECIAL REVIEW PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population (ADP) of 10 or more, and where detainees are housed for over 72 hours, to assess compliance with ICE national detention standards. While these inspections focus on facility compliance with detention standards that directly affect detainee life, health, safety, and/or well-being, in FY 2024 ODO added additional standards to the scope of each full inspection to ensure ODO inspects every standard at each facility at least once every other year.⁵

ODO identifies violations of ICE detention standards, ICE policies, or operational procedures, as “deficiencies.” ODO highlights instances when the facility resolves deficiencies prior to completion of the ODO inspection. Where applicable, these corrective actions are annotated with “C” under the *Compliance Inspection Findings* section of this report.

In FY 2022, ODO began conducting special reviews of under 72-hour ICE detention facilities with an ADP of 1 or more detainees and over 72-hour ICE detention facilities with an ADP of 1 to 9 detainees. Additionally, ODO began conducting unannounced inspections of ICE detention facilities, regardless of ADP of detainees, as well as reviews of ICE special/emerging detention facilities/programs. As such, these facility inspections will result in an ODO Inspection Compliance Rating; however, for facilities that are not contractually obligated to an ICE NDS, those ratings will be for ERO’s informational purposes. ODO will conduct a complete review of several core standards, in accordance with the facility’s contractually required ICE NDS or in accordance with the ICE NDS listed in the current ERO Custody Management Division Authorized Facility List for facilities that are not contractually obligated to an ICE NDS, which may include but are not limited to Medical Care/Health Care, Medical Care (Women)/Health Care (Females), Significant Self-harm and Suicide Prevention and Intervention, Hunger Strikes, Food Service, Environmental Health and Safety, Special Management Units (SMU) or Hold Rooms (if the facility does not have an SMU), Use of Force and Restraints/Use of Physical Control Measures, and Sexual Abuse and Assault Prevention and Intervention.

Upon completion of each special review or unannounced inspection, ODO conducts a closeout briefing with facility and local ERO officials to discuss preliminary findings. A summary of these findings is shared with ERO management officials. Thereafter, ODO provides ICE leadership with a final compliance inspection report to: (i) assist ERO in developing and initiating uniform corrective action plans (UCAPs); and (ii) provide senior executives with an independent assessment of facility operations. ODO’s findings inform ICE executive management in their decision-making to better allocate resources across the agency’s entire detention inventory.

⁵ ODO reviews the facility’s compliance with selected standards in their entirety.

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{6,7}	Deficiencies
Part 1 - Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 - Security	
Use of Force and Restraints	0
Special Management Units	0
Sexual Abuse and Assault Prevention and Intervention	0
Sub-Total	0
Part 4 - Care	
Food Service	1
Hunger Strikes	1
Medical Care	0
Personal Hygiene	0
Significant Self-Harm and Suicide Prevention and Intervention	1
Sub-Total	3
Part 5 - Activities	
Recreation	0
Sub-Total	0
Total Deficiencies	3

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

⁷ During a special review, ODO will review a facility's compliance with at least 10 individual standards.

DETAINEE RELATIONS

The facility's ICE detainee population count was zero during the inspection; therefore, ODO did not conduct any detainee interviews. Despite the facility housing no detainees during the inspection, the facility maintains an active contract to house ICE detainees and had an ADP of 1 ICE detainee for FY 2023, meeting the ODO requirement for special reviews.

SPECIAL REVIEW FINDINGS

CARE

FOOD SERVICE (FS)

ODO requested to review pre-employment documentation, interviewed the FS administrator, and found no pre-employment medical examinations for FS staff (**Deficiency FS-86⁸**).

HUNGER STRIKES (HS)

ODO reviewed ■ correctional staff and ■ medical staff training records and found in ■ out of ■ records, no initial or annual training to recognize the signs of a hunger strike, nor procedures to implement a referral for medical assessment and for management of a detainee on a hunger strike (**Deficiency HS-1⁹**).

SIGNIFICANT SELF-HARM AND SUICIDE PREVENTION AND INTERVENTION (SSHSPI)

ODO reviewed ■ medical staff training records and found in ■ out of ■ records, no annual refresher training for comprehensive suicide prevention (**Deficiency SSHSPI-2¹⁰**). **This is a priority component.**

CONCLUSION

During this special review, ODO assessed the facility's compliance with 10 standards under NDS 2019 and found the facility in compliance with 7 of those standards. ODO found three deficiencies in the remaining three standards. ODO did not conduct a trend analysis as this was NHCJ's first inspection under NDS 2019; however, NHCJ went from 7 deficient standards and 28 deficiencies in May 2023 to 3 deficient standards and 3 deficiencies during this most recent special review. NHCJ completed its UCAP for its last inspection in May 2023, which likely resolved the previous deficiencies ODO cited. ODO recommends ERO Atlanta continue to work with the facility to

⁸ "All food service personnel (both staff and detainee) shall receive a documented preemployment medical examination." See ICE NDS 2019, Standard, Food Service, Section (II)(I)(3)(a).

⁹ "All staff shall be trained initially and annually thereafter to recognize the signs of a hunger strike, and to implement the procedures for referral for medical assessment and for management of a detainee on a hunger strike." See ICE NDS 2019, Standard, Hunger Strikes, Section (II)(A).

¹⁰ "All facility staff members who interact with and/or are responsible for detainees shall receive comprehensive suicide prevention training during orientation and refresher training at least annually thereafter." See ICE NDS 2019, Standard, Significant Self-harm and Suicide Prevention and Intervention, Section (II)(B).

resolve any deficiencies that remain outstanding in accordance with contractual obligations.

Compliance Inspection Results Compared	FY 2023 Special Review (NDS 2000)/ (NDS 2019)	FY 2024 Special Review (NDS 2019)
Standards Reviewed	11/1	10
Deficient Standards	7	3
Overall Number of Deficiencies	28	3
Priority Component Deficiencies	0	1
Repeat Deficiencies	N/A	0
Areas Of Concern	21	0
Corrective Actions	0	0
Facility Rating	Good	Good. ¹¹

¹¹ ODO revised its rating system at the end of FY 2023, and beginning in FY 2024, facilities rated as “Superior” will have no or very minimal deficiencies and will have no repeat or priority component deficiencies.



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