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ICE Inspections
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**Office of Detention Oversight
Special Review
2024-003-307**

**Enforcement and Removal Operations
ERO Saint Paul Field Office**

**Phelps County Jail
Holdrege, Nebraska**

May 21-23, 2024

**SPECIAL REVIEW
of the
PHELPS COUNTY JAIL
Holdrege, Nebraska**

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SPECIAL REVIEW TEAM MEMBERS



Team Lead
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ODO
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Creative Corrections
Creative Corrections

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 Phelps County Jail (PCJ) in Holdrege, Nebraska, from May 21 to 23, 2024.¹ The facility opened in 2002 and is owned by Phelps County and operated by the Phelps County Sheriff's Office. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at PCJ in 2002 under the oversight of ERO's Field Office Director in Saint Paul (ERO Saint Paul). 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 May 21, 2024. PCJ was inspected against the NDS 2019, and ODO's assigned rating is for ERO's informational purposes only.

[REDACTED] A facility administrator handles daily operations and manages [REDACTED] support personnel. Summit Food Service provides food services, Advanced Correctional Healthcare provides medical care, and Keefe Commissary provides commissary services at the facility. The facility does not hold any accreditations from any outside entities.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ²	[REDACTED]
Average ICE Population ³	[REDACTED]
Adult Male Population (as of May 21, 2024)	[REDACTED]
Adult Female Population (as of May 21, 2024)	[REDACTED]

During its last rated inspection, in Fiscal Year (FY) 2023, ODO found 6 deficiencies in the following areas: Food Services (2); Environmental Health and Safety (2); and Medical Care (2).

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

² Data Source: ERO Custody Management Division Authorized Facility List as of May 20, 2024.

³ *Ibid.*

SPECIAL REVIEW PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population 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.⁴

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.

⁴ ODO reviews the facility’s compliance with selected standards in their entirety.

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{5,6}	Deficiencies
Part 1 - Safety	
Environmental Health and Safety	3
Sub-Total	3
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	0
Medical Care	0
Personal Hygiene	0
Significant Self-Harm and Suicide Prevention and Intervention	0
Sub-Total	1
Part 6 - Justice	
Detainee Handbook	0
Sub-Total	0
Total Deficiencies	4

⁵ For greater detail on ODO's findings, see the *Special Review Findings* section of this report.

⁶ During a special review, ODO will review a facility's compliance with at least 10 individual standards.

DETAINEE RELATIONS

ODO physically visited each of the housing units that housed ICE detainees and verbally gave each individual detainee an opportunity to conduct a voluntary interview with ODO; however, all 22 detainees refused ODO's interview request. ODO asked the detainees if they had any problems, issues, or concerns, and none of the detainees made allegations of discrimination, mistreatment, or abuse.

SPECIAL REVIEW FINDINGS

SAFETY

ENVIRONMENTAL HEALTH AND SAFETY (EHS)

ODO interviewed the food service director (FSD); toured and/or observed the food service chemical storage room, laundry room, mobile barber card, and the property room; and observed hazardous substances stored without perpetual inventories (**Deficiency EHS-3**⁷).

ODO interviewed the FSD, observed hazardous substances stored throughout the facility, and found no inventory records for 57 ounces for Easy Paks® and TRUPOWER™ powdered chemical packs and 30 ounces of Superior High Shine aerosol stored in the food service chemical storage room (**Deficiency EHS-4**⁸).

ODO interviewed the FSD, observed eight toxic, flammable or caustic materials stored in the food service chemical storage room, and found no readily available Safety Data Sheet for TRUPOWER™ Dishmachine Detergent (**Deficiency EHS-6**⁹).

CARE

FOOD SERVICE (FS)

ODO reviewed the facility's policy, "A-610 Environmental Health and Safety," interviewed the FSD, observed 8 toxic, flammable or caustic materials stored in the food service chemical storage room, and found for 2 out of 8 chemicals, no documented inventory for 57 ounces of Easy Paks® and TRUPOWER™ powdered chemical packs and 30 ounces of Superior High Shine aerosol stored in the food service chemical storage room. Additionally, the FSD verified staff awareness for the controlled and accountable use of these substances as per EHS policy (**Deficiency FS-105**¹⁰).

⁷ "Every area will have a perpetual inventory of the hazardous (flammable, toxic, or caustic) substances used and stored in that area." See ICE NDS 2019, Standard, Environmental Health and Safety, Section (II)(A).

⁸ "Inventory records will be maintained for each substance." See ICE NDS 2019, Standard, Environmental Health and Safety, Section (II)(A).

⁹ "Staff and detainees will have ready and continuous access to SDSs for the substances with which they are working while in the work area." See ICE NDS 2019, Standard, Environmental Health and Safety, Section (II)(A)(1).

¹⁰ "All staff members shall know where and how much toxic, flammable, or caustic material is on hand, and be aware

CONCLUSION

During this special review, ODO assessed the facility’s compliance with 10 standards under NDS 2019 and found the facility in compliance with 8 of those standards. ODO found four deficiencies in the remaining two standards. ODO noted that PCJ recently changed to NDS 2019 in May 2024. During ODO’s last special review of PCJ in March 2023, ODO assessed compliance with 9 standards under NDS 2000 and 1 standard under NDS 2019. During that inspection, ODO found PCJ compliant in 7 out of 9 standards under NDS 2000 and 1 standard under NDS 2019. ODO has not received a UCAP for ODO’s last inspection of PCJ in March 2023. ODO recommends ERO Saint Paul continue to work with the facility to resolve deficiencies 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	9/1	10
Deficient Standards	3	2
Overall Number of Deficiencies	6	4
Priority Components Deficiencies	0	0
Repeat Deficiencies	2	0
Areas Of Concern	1	0
Corrective Actions	0	0
Facility Rating	Superior	Superior. ¹¹

that their use must be controlled and accounted for daily.” See ICE NDS 2019, Standard, Food Service, Section (II)(I)(9)(b).

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.