



United States Department of the Interior

OFFICE OF THE SECRETARY
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National Policy Memorandum

Assistant Secretary – Indian Affairs
Deputy Assistant Secretary – Management

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Effective: December 20, 2005

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**Title: Facilities Inspection and Review Policy for Bureau of Indian Affairs
Detention Centers**

1. Purpose

The purpose of this National Policy Memorandum is to ensure a coordinated inspection and review process for detention centers owned and operated by the Bureau of Indian Affairs; to improve security, safety and efficiency of detention facilities; and to establish clear responsibilities for employees, supervisors, and program managers in the inspection process.

2. Scope

This policy applies to all detention centers owned and operated by the Bureau of Indian Affairs. For Tribal detention centers, see 25 CFR Part 900.5.

The following are required to carry out all requirements of this policy within their areas of responsibility: The Office of Facilities Management and Construction (OFMC); Office of Law Enforcement Services (OLES); Office of Environmental, Safety, and Cultural Resources Management; Regional Directors; Regional Facility Managers; Agency Superintendents; and Agency Facility Managers.

3. Policy

The Bureau of Indian Affairs (Bureau or BIA) is committed to providing a high quality detention center program. To this end, an inspection and monitoring system is required to ensure efficient management practices are promoted and weaknesses are identified and corrected. It will be the policy of the Bureau to conduct internal reviews of each Bureau owned and operated detention facility no less than once every three years, and require follow up to any identified deficiencies.

4. Program Objectives

The expected results of this inspection and monitoring process are:

- A. Detention Center facilities and program quality will be improved through appropriate corrective action.
- B. Detention Centers will comply with all laws, regulations, executive orders, policies, statutes, and other program standards and requirements.

C. An assessment of need (programmatic, facilities, and financial resources) will be determined based on a holistic review of the detention centers owned and operated by the Bureau. This holistic view will provide a more comprehensive way to review the sites and determine need by looking at each facility in a focused manner which will lead to detention center improvement plans that include all facets of that center's program.

D. All reviews will be centrally coordinated and reviewed for consistency.

E. A standardized system will be initiated and automated for better data collection to ensure future program and budget requirements.

F. Corrective actions taken by the Bureau will improve the quality of services to clients.

5. General Responsibilities

A. Central Office Staff - The Deputy Directors of OLES and OFMC; Chief, Division of Safety and Risk Management (DSRM); and Chief, Division of Environmental Management are responsible for developing an annual coordinated review plan to review selected detention centers each year and for developing standardized inspection procedures for detention centers owned and operated by the BIA. Each Bureau detention center will be reviewed at least once every three years. **New detention centers will be inspected one year after becoming operational and will continue to be inspected in accordance with this policy.** The Central Office Staff will make recommendations to senior management on steps necessary to improve detention center conditions.

B. Regional Directors are responsible for ensuring Agency Superintendents take appropriate action to correct facility deficiencies noted in inspection reports.

C. OFMC Regional Facility Managers are responsible for reviewing detention center inspection reports within their area of jurisdiction; following-up with Agency Facility Managers to ensure Annual Financial Work Plans are being implemented in regard to facility conditions; tracking improvements made through the FMIS; reviewing certification of completed corrections on a monthly basis; and submitting quarterly progress reports to the Director of OFMC, to the Director of OLES, and to Regional Directors on the status of abated deficiencies.

D. Agency Superintendents are responsible for ensuring Agency Facility Managers enter interim and final abatement plans in FMIS, correct facility deficiencies noted in the inspection reports, and ensure all corrections are made utilizing the FMIS system. Agency Superintendents are responsible for certifying that facility deficiencies are corrected. A copy of the certification of completed corrections shall be submitted to the OFMC Regional Facility Managers on a monthly basis.

E. Agency Facility Managers are responsible for the development, update, and evaluation of the Annual Financial Work Plan after deficiencies have been entered into FMIS by DSRM or the Inspection team; correcting facility deficiencies at detention centers; entering corrections in the FMIS system no less than weekly; and providing follow-up reports as required by inspection findings. They are responsible on a monthly basis for providing to the appropriate Agency Superintendent and to the OFMC Regional Facility Manager the information and data required for the certification of completed corrections.

F. Detention Center Supervisors shall assist Agency Facility Managers and Agency Superintendents in implementing corrective actions in a timely manner; and assisting Agency Facility Managers in developing status reports, annual work plans, financial program plans, and preventative maintenance plans.

6. Procedures and Responsibilities for Inspection, Review, and Monitoring

A. No later than September 1 of each year, the Division of Safety and Risk Management will issue the annual Detention Center Inspection and Review schedule to the Deputy Director, OLES; Director, OFMC; Division of Environmental Management; Regional Directors; and Director, BIA. The inspection schedule will list detention center locations, date of review, and names of inspection review team members. The reviews will be coordinated with OLES to ensure the highest priority centers are inspected.

B. Detention Centers will be provided the standardized inspection instrument no less than two weeks prior to the on-site inspection visit.

C. An Inspection Team Leader (ITL) will be appointed by the Division of Safety and Risk Management for each site visit. The ITL will be responsible for organizing the on-site review, for ensuring team members complete their reports, and entering the inspection reports/deficiencies in FMIS. The ITL will also ensure entrance and exit interviews are conducted with the Detention Center Manager, Agency Superintendent, and Agency Facility Manager. The ITL has overall responsibility for filing completed reports no later than 30 days after the on-site review.

D. Detention Center Supervisors shall be available to meet with the Inspection Team and to provide required files, staff, and any other items requested by the Inspection Team.

E. Agency Superintendents and Detention Center Supervisors are responsible for follow-up with their Agency Facility Managers to ensure corrections are made to Inspection Team findings. The Agency Superintendent will issue a statement of assurances within 30 days after receiving the Inspection review findings that follow-up has been initiated on deficiencies noted in the Inspection Report and entering interim and final abatement plans. If the Agency Superintendent is unable to correct any deficiency, a written explanation will be provided to the Regional Director, OFMC Regional Facility Manager, and District Detention Supervisor.

F. Agency Facility Managers are responsible for making corrections to Detention Center facilities based on Inspection Team findings. Follow-up will occur no later than 30 days after the inspection report is received. Agency Facility Managers are responsible for entering interim and final abatement plans and corrected deficiencies in the FMIS.

G. Regional Directors are responsible for follow-up with Agency Superintendents to ensure deficiencies are corrected. They will review any uncorrected deficiency statement submitted by an Agency Superintendent and will provide them with assistance. Non-abated deficiencies, reasons for non-abatement, and recommendations for follow-up will be forwarded to the Director of Law Enforcement Services. The Director of OLES will work with the Director of BIA and the Deputy Assistant Secretary for Management to resolve the non-abated deficiencies.

H. OFMC Regional Facility Managers are responsible for tracking detention center improvements in FMIS; assisting Agency Facility Managers with FMIS data entry; and for communicating detention center conditions to the OFMC and Regional Director for follow-up.

I. The District Detention Supervisors are responsible for tracking detention programmatic improvements that are entered into the FMIS; assisting detention center supervisors with FMIS data entry; and for communicating detention center conditions to the Chief, Division of Detention Services.

J. The Director of OFMC is responsible for providing supervision support to the OFMC Regional Facility Managers. This support will include assistance with training on FMIS for Agency Facility Managers; coordination with the Office of Chief Information Officer to ensure connectivity to the agency/detention center locations; and coordination with OLES and the Director of BIA.

L. The Bureau is required to establish a continuous process for evaluating and improving its programs. Each program and affected employee is responsible for providing a quality service to its constituents.

The policy for detention center inspections is intended to accomplish both objectives. This policy will be reviewed by the affected programs on an annual basis to improve the inspection process.

This policy will be reviewed in one year to determine whether it should be included in the IAM as is, revised or revoked.

7. Approvals

/sgd/ Grayford Payne
for Debbie L. Clark
Deputy Assistant Secretary – Management

December 20, 2005
Date