

Quality Assurance Program Components (cont.)

After Action Reviews

Conducted by DS&CD to investigate significant incidents at non-federal detention facilities housing federal detainees. The focus is to determine the cause of the incidents and whether internal controls have failed. A summary report is prepared by the SMEs and forwarded to the DS&CD for review and approval.

Contract Monitoring Instrument (CMI)

Automated Information Management Tool designed to augment the QAR Program. Assists USMS Contracting Officer's Technical Representatives and/or Jail Inspectors in conducting periodic facility monitorings to determine FPBDS conformance. The data collected from completed CMIs are designed to be stored in the DSNetwork.



QARs Results to Date

QARs began in Fiscal Year (FY) 2006, in which 21 QARs were conducted in 12 states. Nineteen facilities met the minimum FPBDS. In FY 2007, 24 QARs were conducted in 13 states and the District of Columbia. Twenty-three facilities have met the minimum FPBDS. In FY 2008, 26 QARs are planned in 13 states and the District of Columbia.



Inquiries

Should you have any questions, you can contact the DS&CD via OFDT.DSCD@USDOJ.GOV or at (202) 353-4601.

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Detention Standards & Compliance Division
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OFDT Mission: Manage and regulate the Federal detention programs and Justice Prisoner and Alien Transportation System (JPATS) by establishing a secure and effective operating environment that drives efficient and fair expenditure of appropriated funds.

DETENTION STANDARDS AND COMPLIANCE DIVISION



Office of the Federal Detention Trustee
U.S. Department of Justice
Washington, DC

History of the Federal Performance-Based Detention Standards

In January 2000, the Department of Justice's (DOJ) Federal Bureau of Prisons (BOP), U.S. Marshal Service (USMS), Immigration and Naturalization Service (INS), and Civil Rights Division issued a set of core detention standards that apply to all detention facilities contracted by the DOJ. The standards sought to ensure that detainees housed in these facilities are safe and secure, and these facilities provide the basic services needed by federal detainees. Since the purpose for detention varies across agencies, the standards addressed only the most basic and critical elements common to all agencies. The standards were intended to supplement policies, procedures, and practices that were specific to the needs of each agency.

Following the establishment of the Office of the Federal Detention Trustee (OFDT), OFDT initiated a working group with, BOP, (USMS), and (ICE), (formerly INS), to address federal detention policies and procedures. As part of this working group, agency representatives reviewed and refined the core detention standards approved in January 2000. These standards evolved into what is now known as the **Federal Performance-Based Detention Standards (FPBDS)**.

The standards have been divided into nine Functional Areas that fully meet or exceed the requirements of the American Correctional Association Performance-Based Standards for Adult Local Detention Facilities. Additionally, there are nineteen Key Functional Areas (KFA) that address the minimum requirements and five ICE specific Standards.

While compliance with each of the Functional Areas will be evaluated, failure to comply with any (KFA) will be considered a material deficiency in the operation of the facility.

Information related to the FPBDS can be accessed at:
www.usdoj.gov/ofdt/standards.htm.

Quality Assurance Reviews

The Office of the Federal Detention Trustee manages all OFDT awarded private facilities providing services to the ICE and USMS detainees. Annual Quality Assurance Reviews (QARs) are conducted at these facilities, as well as those state and local facilities with Intergovernmental Agreements with an average daily population of 500 or more USMS detainees. The Detention Standards & Compliance Division (DS&CD) is responsible for establishing annual schedules for conducting QARs utilizing **Federal Performance-Based Detention Standards (FPBDS)** to ensure the adequacy and sufficiency of services provided in non-federal detention facilities that house federal detainees. The FPBDS are designed to ensure safe, secure, and humane confinement of federal detainees.

OFDT contracts with companies for Subject Matter Experts. The QAR Team consists of one Senior Program Manager and four Subject Matter Experts with expertise in Administration and Management, Healthcare, Security and Control, Food Service, Staff/Detainee Communication, Safety and Sanitation, Services and Programs, Workforce Integrity and Detainee Discrimination. The team conducts QARs utilizing a Facility Review Management System (FRMS), an automated web-based system to record/document and produce a comprehensive Quality Assurance Review Report.

QARs are conducted based upon criteria listed in the **FPBDS Review Book**.

Upon completion of the QAR Report, DS&CD reviews the report and issues one of five ratings to the facility: **Excellent, Good, Acceptable, Deficient or At Risk**. This information is entered into the FRMS system to provide consolidated facility information and historic data. Facilities that do not meet the minimum standards must develop and implement corrective action plans to ensure they can attain and maintain compliance with the FPBDS. Failure to comply with the minimum standards could result in discontinued use of the facility, or administrative fee deductions.

Quality Assurance Program

The Quality Assurance Program is a synergy of various detention resources used to effectively manage detention facilities housing USMS detainees to ensure they operate in a safe, secure and humane fashion.

Quality Assurance Program Components

Technical Evaluation Board (TEB) Functions

DS&CD, along with applicable user agency representatives serve as Technical Evaluators during the pre-solicitation phase of a proposed detention service contract. Technical Proposals submitted by interested offerors are evaluated based on the government's solicitation requirements.

Pre-Occupancy Reviews

Prior to awarding a private or an IGA with a local, state or county government entity, the DS&CD conducts Pre-Occupancy Reviews to ensure compliance with the FPBDS, all state and or local standards and that facility operational policies are in place.

Facility Review Management System

Automated Information Management System that processes the QAR Program from planning to execution and completion. Provides conformance levels and other Reports. Allows BOP, ICE and USMS to review and comment on completed QAR Reports prior to final distribution.

Follow-Up Reviews

A reassessment of a facility's operations after corrective actions have been put into place.