

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Law Library is located in the multi purpose room in Unit 3 and one in SMU.</i>
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lexus Nexus is up to date.
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See CCA Policy 14-4
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c DDO/DSM 08/05/2010

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All equipment is in good working order. Typewriters are available for detainee use. Adequate supplies are on hand.
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewing of Doyon security revealed denial of access to law library are not documented.
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: All law library equipment is operational and Lexis Nexis available to detainees.

The DSM interviewed several Doyon security officers in housing unit and no one was documenting detainees being denied access to the law library. The process consists of detainees signing up to attend the library. In instances when more detainees than can be accommodated in the library sign up, they are not sent until the next day. However, no record of any denials was found in the logs. Although access denial may not occur frequently, the standard calls for

documentation of those instances.

b6, b7c

DSM

July 7, 2010

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All equipment is in good working order. Typewriters are available for detainee use. Adequate supplies are on hand.
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: All law library equipment is operational and Lexis Nexis available to detainees.

The DSM interviewed several Doyon security officers in housing unit and they claimed no detainees have been denied access to the law library since October, 2010.

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Law library is located in the jail housing unit</i>
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Items inventoried and inspected daily, Lexus Nexus available</i>
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>A photocopier is not located in the law library, detainees needng copies of legal documents sign log and officer assigned to that post ensures copies are made</i>
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Thumb drives are available for detainees to purchase, if detainee is unable to purchase thumb drive, a disk will be provide to him</i>
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>FDC Policy 5.5.1, all material must be reviewed and approved by the AFOD</i>
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiated and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Request made with staff/detainee request forms</i>
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 5.5.1</i>
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>No denials this rating period</i>
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>FDC provides free envelopes and postage</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> <input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c / January 10, 2011
 Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 09/22/10

 Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. Located in the B unit multi-purpose room.
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. 12 computers and 1 in SMU. 2 typewriters, 1 in SMU.
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. 24 chairs.
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. Detainees can save on save their legal material on a thumb drive.
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. CCA subscribes to Benders Immigration Bulletin.
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. CCA has a Law Library Officer.
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. Detainees may request material not currently in the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. Detainees will

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
law library. Each request is reviewed and where appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				ask the Law Library Officer and the Officer will search the internet. If the Officer can't find what the detainee is looking for; a request will be sent to the EOIR Paralegal.
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

03/25/11

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. <ul style="list-style-type: none"> In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: <ul style="list-style-type: none"> Operable computers and printers, in sufficient numbers in order to provide access Photocopiers, and Supplies for both. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed and documented</i>
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented</i>
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c 7/2/10
 Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed and documented</i>
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented</i>
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c 10/12/10
 Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. <ul style="list-style-type: none"> • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: <ul style="list-style-type: none"> • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 04/19/11

Reviewer's Signature / Date

PART 8 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1 The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reference OCA Policy 13-8. The law library is located in Unit #3.
2. The law library contains all materials listed in the "Access to Legal Materials" Standard. Attachment A The listing of materials is posted in the law library • In lieu of/ or in addition to the physical law library ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SDC provides detainees access to the Lexus Nexus electronic law library.
3 If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4 The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7 The facility subscribes to updating services where applicable and legal materials requiring updates are current	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8 Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9 There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	POC: [redacted] b6, b7c IT Specialist ICE [CTR]
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11 Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiated and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials

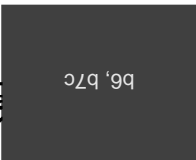
Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
12. The facility permits detainees to assist other detainees voluntarily and free of charge, in researching and preparing legal documents consistent with security	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Note: There is no record of such an issue arising at SDC.
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Note: There is no record of such an issue arising at SDC.
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

Meets Standard Does Not Meet Standard N/A Repeat Finding

Remarks (Record significant facts, observations, other sources used, etc.)

Reviewer's Signature

b6, b7c
 3-25-11

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. <ul style="list-style-type: none"> • In lieu of/in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	On December 23, 2009, Case Law Release # 76 and Bice release #33 was installed.
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: <ul style="list-style-type: none"> • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. <ul style="list-style-type: none"> In lieu of/ or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	On December 23, 2009, Case Law Release # 76 and Bice release #33 was installed.
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: <ul style="list-style-type: none"> Operable computers and printers, in sufficient numbers in order to provide access Photocopiers, and Supplies for both. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

b6, b7c

2-1-2010

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

21 December 2010

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility provides floppy disks upon detainee request.</i>
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>ICE Recreation Specialists oversees the law library operation.</i>
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.				
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>A satellite law library is located within the SMU equipped with Lexis/Nexis.</i>
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility provides envelopes and postage to all detainees.</i>

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Floppy disks were purchased by the facility to ensure detainees are provided with the means to save legal work in a private electronic format for future use.

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Both GEO and ICE have staff responsible for any and all updates.
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO policy 6.1.1 and daily walk throughs of the law library confirm that detainees are receiving 5 hours per week according to this component.
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO policy 6.1.1 and practice supports compliance with this component
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.) GEO has one dedicated Law Librarian and support staff to ensure that ICE detainees are able to access the law library when requests are made. GEO tracks all requests and complies with all components in this standard.

b6, b7c DDO/DSM 8/19/10

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility uses the LexisNexis electronic law library.
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility has installed three computers with the LexisNexis program. The computers and printers are operable. There is one photocopier with appropriate supplies.
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is well lit. It consists of three computer stations.
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are three computer stations with sufficient supplies.
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The detainees save legal work on floppy discs.
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The LexisNexis program is supplied by ICE.
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There were no requests during the rating period.
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Unit Manager is responsible for the Law Library area.
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Law Library schedule is posted in the each of the housing units and allows for five hours of law library time.
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There were no requests during the rating period.

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Observed documentation in the detention files for approved and completed requests for legal material.
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees in Segregation are permitted the same law library access per the Law Library schedule. There are notations on the activity sheet for the detainees of participation in or refusal to participate in the law library.
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There were no denials during the rating period.
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See above comment.
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)* The law library (room # 282) is located within an administrative-type hallway away from the housing units. It is maintained within established temperature ranges, has adequate lighting, and contains the following furniture: three computer stations, one printer, one copier, a small conference table and chairs. LexisNexis is programmed into the computers. There were no requests for copies of any court decisions and no requests by outside entities to add material to the law library during the rating period. Each housing unit is scheduled for one hour of law library time Monday through Friday. This includes the detainees housed in the segregation unit on any status. The October 2010, LexisNexis CDs have been added to the detainee computer work stations in the Law Library.

Interviewed Unit Manager [REDACTED] b6, b7c and Acting SDDO [REDACTED] b6, b7c in the completion of this standard. Detainees at this facility are in the removal process.

[REDACTED] b6, b7c / November 19, 2010
Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees’ rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the “Access to Legal Materials” Standard, Attachment A. The listing of materials is posted in the law library. <ul style="list-style-type: none"> • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: <ul style="list-style-type: none"> • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c
 Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The law Library is located 2nd floor South of the facility.
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The list is posted and all materials are available.
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Life Skills Instructor is responsible for the inspections.
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility staff that supervises the law library provides assistance upon request. Other detainees may also volunteer to provide assistance.
13. Staff ensure that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU at this facility.
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Facility staff inform ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	These acts are precluded by policy.
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Facility Policy BTC-1-01, Access to Legal Materials, meets the requirements of the standard and the law library operations observed were found to be in substantial compliance. ICE provides the Lexus Nexus updates. During the review period (30) detainees were interviewed regarding their access to legal materials and two officers was interviewed regarding recreational library access There are eight computer stations and one typewriter station for use.

b6, b7c

March 27, 2011

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Secure room located inside recreation area
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/or in addition to the physical law library, ICE detainees have access to the Lexis Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified and observed 2/7/11
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Access is available in housing units and law library with copies available via recreation specialist
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees can use this during unit scheduling
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified and observed on 2/7/11
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees have passwords and stored on own hard drives
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreation specialists update as necessary
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreation specialists update as necessary
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schedules posted in housing units
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreation specialist makes necessary copies

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. The facility permits detainees to assist other detainees, voluntarily and free of charge, in researching and preparing legal documents, consistent with security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainee is assigned to assist other detainees in law library
13. Staff ensures that illiterate or non-English-speaking detainees without legal representation receive more than access to English-language law books after indicating their need for help.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees may retain a reasonable amount of personal legal material in the general population and in the special management unit. Stored legal materials are accessible within 24 hours of a written request.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Detainees housed in Administrative Segregation and Disciplinary Segregation units have the same law library access as the general population, barring security concerns. Detainees denied access to legal materials are documented and reviewed routinely for lifting of sanctions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Access to law library after hours if requested via detainee request
16. All denials of access to the law library fully documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Maintained in detainee detention file
17. Facility staff informs ICE Management when a detainee or group of detainees is denied access to the law library or law materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supervisor notified
18. Detainees who seek judicial relief on any matter are not subjected to reprisals, retaliation, or penalties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Indigent detainees are provided with free envelopes and stamps to mail related to legal matters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified via account then given items via recreation specialist

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>During the review period, there was an instance where a detainee was placed in Administrative Segregation for protective custody and was not afforded the opportunity to attend presentation. EPC staff was made aware and corrected the situation.</p> <p>A procedure must be in place to ensure this situation does not repeat it self.</p>
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
conduct a question-and-answer session.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: Legal Rights group presentations are routinely offered Monday through Thursday. Additional presentations are provided when needed or requested. A schedule is posted in the units for group presentations and sign up sheets for detainees are available.

During the review period, there was an instance where a detainee, placed in protective custody in the Administrative Segregation Unit was not afforded the opportunity to attend the presentation. Several days later, the information was related to EPC staff by DSM and the problem was corrected. There is no procedure in place to ensue this does not happen again.

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: Legal Rights group presentations are routinely offered Monday, Tuesday, Wednesday, and Friday. Additional presentations are provided when needed or requested. A schedule is posted in the units for group presentations and sign up sheets for detainees are available.

b6, b7c

DSM

January 12, 2011

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.5.5</i>
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.5.5</i>
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The AFOD may extend this time frame on a case by case basis</i>
10. Staff permits presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>AFOD must approve</i>
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff is present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.5.5</i>
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.5.5</i>

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.5.5</i>
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> <input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c January 11, 2011
 Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 09/21/10

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. The Legal Orientation Program (LOP) is on site to assist detainees with their case.
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. The LOP is on site Mon, Tue, Thur and Fri.
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 03/25/11

Reviewer's Signature / Date

There has yet to be a Group Presentation to enter the facility other than the Legal Orientation Program (LOP).

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/ERO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
10. Staff permits presenters to distribute ICE/ERO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/ERO or authorized detention staff is present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Enforcement and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/ERO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 7/8/10
 Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/ERO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
10. Staff permits presenters to distribute ICE/ERO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/ERO or authorized detention staff is present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
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13. The facility plays ICE/ERO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 10/13/10
 Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

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3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

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PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 04/19/11

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
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3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4 Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5 Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6 When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7 Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8 Interpreters are admitted when necessary to assist attorneys and other legal representatives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9 Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
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Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.

12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

Reviewer's S 079 '99 3-25-11

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Northwest Immigration Rights Project (NWIRP), based upon Court dockets, detainee requests, or calls from detainee families, etc, places detainee names on a list. Presentations are open to all detainees.
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

The expansion and renovation to the legal visit area has been completed and attorneys using the have advised the CR that they are pleased with the changes.

b6, b7c

b6, b7c

2-1-2010

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input checked="" type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/ERO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permits presenters to distribute ICE/ERO-approved materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/ERO or authorized detention staff is present but do not monitor conversations with legal providers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input checked="" type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/ERO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

21 December 2010

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 3.5.5.1 Legal Rights Group Presentation is clear and specific on this issue.</i>
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 3.5.5.1 Legal Rights Group Presentation is clear and specific on this issue.</i>
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility has not denied any detainee permission to attend a presentation in the last 12 months.</i>
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permits presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff is present but do not monitor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
conversations with legal providers.				
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 3.5.5.1 Legal Rights Group Presentation is clear and specific on this issue. Facility has not suspended any group or individual from making presentations within the last 12 months.</i>
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility plays an ICE /DRO approved videotape on legal rights daily.</i>
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 3.5.5.1 Legal Rights Group Presentation is clear and specific on this issue.</i>
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO policy 6.1.2 accounts for this standard.
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There have been no reported denials 90 day post annual inspection
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are no sign up sheets. All detainees who have been issued a Notice to Appear are screened by American Gateways. The remainder are seen by PAPA an. Or other Pro Bono attorneys.
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All detainees who have been issued a Notice to Appear are screened by American Gateways. The remainder are seen by PAPA an. Or other Pro Bono attorneys. An ICE Deportation Officer ensures compliance and assists with this process.
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO assists with these requests and detainees are seen by PAPA.
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.				
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)* STDC ensures that detainees are afforded legal rights group presentations. Both GEO and ICE ensure that detainees are afforded to the opportunity to speak with both American Gateways and PAPA. The overall practice at STDC is compliant with the PBNDS and meets the standard.

b6, b7c DDO/DSM 8/19/10

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input checked="" type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permits presenters to distribute ICE/DRO-approved materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff is present but do not monitor conversations with legal providers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input checked="" type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICE provides the presenters with the newly admitted detainees' names and all detainees are afforded the opportunity to the presentations.
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees have access to group presentations and no detainee has been denied access to the presentation.
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility allows for presentations several times each week, accommodating all detainees.
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees spend minimal time in segregation and may attend a presentation later in the week.
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interpreters are permitted.
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Presentations occur three times a week.
10. Staff permits presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICE approved material is distributed.
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff is present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No group presenters have had their privileges suspended. CCA would make the appropriate notifications, if necessary.
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Know Your Rights video in English and Spanish is shown everyday at 0945 hours in every housing unit.
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility uses a closed circuit system to show the video to all the housing units at the same time.

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.) Interviewed Warden Collins and Unit Manager McCullough in the completion of this standard.

The Human Rights First of New York City and Catholic Charities conduct presentations at this facility.

b6, b7c / November 19, 2010
 Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c
 Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Facility records indicated that ICE considers requests and acts in a responsive manner.
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Local procedures ensure participation of any detainee interested.
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU at this facility.
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. Immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility plays the video during intake processing.

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

Facility Policy BTC-1-19, Group Presentations of Legal Rights, provides guidance for staff and the facility provides unfettered access to groups approved by ICE.

b6, b7c

March 27, 2011

Reviewer's Signature / Date

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Catholic Charities performs this at Stewart.
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permit presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff are present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.				
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c DDO / DSM 08/05/2010

Reviewer's Signature / Date

PART 6 – 36. LAW LIBRARIES AND LEGAL MATERIAL

This Detention Standard protects detainees' rights by ensuring their access to courts, counsel, and legal materials.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. The facility provides a designated law library for detainee use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The law library contains all materials listed in the "Access to Legal Materials" Standard, Attachment A. The listing of materials is posted in the law library. • In lieu of/ or in addition to the physical law library, ICE detainees have access to the Lexus Nexus electronic law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. If the Lexis/Nexis CD-ROM service alternative is used for the publications in Attachment A, the facility provides detainees sufficient: • Operable computers and printers, in sufficient numbers in order to provide access • Photocopiers, and • Supplies for both.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The library contains a sufficient number of chairs, is well lit and is reasonably isolated from noisy areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The law library is adequately equipped with typewriters, computers or both and has sufficient supplies for daily use by the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Detainees are provided with the means to save legal work in a private electronic format for future use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. The facility subscribes to updating services where applicable and legal materials requiring updates are current.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Outside persons and organizations are permitted to submit published legal material for inclusion in the legal library. Outside published material is forwarded and reviewed by the ICE prior to inclusion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. There is a designated ICE or facility employee who inspects, updates, and maintain/replace legal material and equipment on a routine basis. The designee properly disposes outdated supplements and replaces damaged or missing material promptly.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Detainees are offered a minimum 5 hours per week in the law library. Detainees are not required to forego recreation time in lieu of library usage. Detainees facing a court deadline are given priority use of the law library.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	By Request and As space is Available
11. Detainees may request material not currently in the law library. Each request is reviewed and where appropriate an acquisition request is initiate and timely pursued. Request for copies of court decisions are accommodated within 3 – 5 business days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
1. The Field Office is responsive to requests by attorneys and accredited representatives for group presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon receipt of concurrence by the Field Office Director, the facility or authorized ICE/DRO Field Office ensures proper notification to attorneys or accredited representatives in a timely manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The facility follows policy and procedure when rejecting or requesting modifications to objectionable material provided or presented by the attorney or accredited representative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Posters announcing presentations appear in common areas at least 48 hours in advance and sign-up sheets are available and accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Detainees have access to group presentations on immigration law, procedures and detainee options. Documentation is submitted and maintained when any detainee is denied permission to attend a presentation and the reason(s) for the denial.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. When the number of detainees allowed to attend a presentation is limited, the facility allows a sufficient number of presentations so that all detainees signed up may attend.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees in segregation, unable to attend for security reasons may request separate sessions with presenters. Such requests are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Interpreters are admitted when necessary to assist attorneys and other legal representatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Presenters are afforded a minimum of one hour to make the presentation and additional time to conduct a question-and-answer session.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Staff permits presenters to distribute ICE/DRO-approved materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The facility permits presenters to meet with small groups of detainees to discuss their cases after the group presentation. ICE/DRO or authorized detention staff is present but do not monitor conversations with legal providers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

This Detention Standard protects detainees' rights by ensuring their access to information presented by authorized persons and organizations for the purpose of informing them of U.S. immigration law and procedures.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<input type="checkbox"/> Check here if No Group Presentations were conducted within the past 12 months. Mark Standard as Acceptable overall and continue on with next portion of worksheet.				
12. Group presenters who have had their privileges suspended are notified in writing by the Field Office Director or designee, and the reasons for suspension are documented. The Headquarters Office for Detention and Removal, Field Operations and Detention management Division is notified when a group or individual is suspended from making presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility plays ICE/DRO-approved videotaped presentations on legal rights, at regular opportunities at the request of outside organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A copy of the Group Legal Rights Presentation policy, including attachments, is available to detainees upon request	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. The facility maintains equipment for viewing approved electronically formatted presentations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - 37. LEGAL RIGHTS GROUP PRESENTATIONS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Re (b6, b7c) facts, observations, other sources used, etc.)

b6, b7c

6/13/14

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>By Request</i>
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>none noted</i>

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>As space is available</i>
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			

PART 5 – 31. TELEPHONE ACCESS

Meets Standard Does Not Meet Standard N/A Repeat Finding

Review (Include relevant facts, observations, other sources used, etc.)

b6, b7c

b/p b/u

Review

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

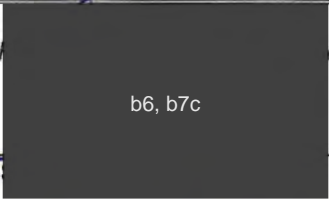
This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: (Observations, other sources used, etc.)



6/13/11

Reviewer's

All Transfers are Directed By Field Office.

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Posted on ketsy</i>
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Visitors are searched and identified according to standard requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICSA
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

Meets Standard Does Not Meet Standard N/A Repeat Finding

Remarks (Include findings, observations, other sources used, etc.)

b6, b7c

[Handwritten Signature]

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Phones down during count
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Handbook and postings
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See CCA Policy 16-100
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CCA Stewart meets this standard.
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees are notified upon admission
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			Done Weekly by ICE and daily by CCA

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)* During this review, CCA Stewart experienced a few problems with the phone system that were corrected within one week of report / work order.

b6, b7c DDO / DSM 08/05/2010

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The new Talton phone system is now in place. The DSM has been provided a pin number so that all units can be checked to insure the number is working.
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: The telephones are checked daily by security staff and weekly by ICE staff. Talton is the telephone services provider. Phone card machines are found throughout the facility and additional phones were added to the living units. The telephone rate to call a mobile phone from the facility was increased to \$0.25 a minute from the previous \$0.10 a minute.

The DSM received a few complaints from detainees regarding the telephone cords. Work orders are submitted routinely to take care of problems as they are identified.

b6, b7c

DSM

July 7, 2010

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: The telephones are checked daily by security staff and weekly by ICE staff. Talton is the telephone services provider. Phone card machines are found throughout the facility and additional phones were added to the living units..

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>TTY phone located in the SIEA's office, request made by detainee for use and it is made available</i>
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>In handbook and orientation video</i>
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Posted in all housing units</i>
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Telephones available in all housing units, dining room and recreation yard</i>
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Housing officers, and compliance team</i>
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Compliance team reports problems and maintain records of service</i>
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Compliance team</i>
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 5.4.3</i>
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Detainees may request a special access call</i>
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
on the approved "Free Legal Services List".				
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 5.4.3</i>
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Delivered daily</i>
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Daily</i>
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.3.1</i>
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			<i>Compliance team documents the serviceability of facility phones</i>

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> <input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c / January 04, 2011
 Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified CCA new memo phones to be checked at 0800 daily.
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
17. Special arrangements are made to allow detainees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
to speak by telephone with an immediate family member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 10/01/10

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. The TTY phone was not in C Unit.
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. 8 telephones in each pod.
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified CCA new memo phones to be checked at 0800 daily.
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. CCA submits tickets when telephones are inoperable.
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. A Request for Assistance form is completed.
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
on the approved "Free Legal Services List".				
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 03/07/11

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.				
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			<i>Documented and observed</i>

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 4/8/10
 Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.				
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			<i>Documented and observed</i>

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c
 10/13/10
 Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	X			

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 04/19/11

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Telephone policy, procedures, and references, are addressed in the SDC Detainee Handbook. In addition, these references are posted in the housing units.
3. Notification explaining the facilities telephone policy is in the Detainee Handbook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Arrangements are made on a case-by-case basis.
18. All telephone restrictions are documented	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters including consultation calls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	POC: [redacted] b6, b7c Telephone Coordinator

PART 6 – 31. TELEPHONE ACCESS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks. (Record significant facts, observations, other sources used etc.)

Reviewer's Sign: [redacted] 3-25-11

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The facility is in full compliance with this component.
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
as possible.				
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks:

b6, b7c

b6, b7c 2-1-2010

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

21 December 2010

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>TTY phone is located in the processing area.</i>
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>DSM's observations confirmed compliance.</i>
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>DSM's review of housing logbooks and maintenance reports confirmed compliance.</i>
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility's Electronic Technician reports out-of-order telephones to the provider.</i>
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Request is made through his Deportation Officer.</i>
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Facility is able to fully meet this requirement with an automated programmed</i>

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
access within 24 hours of a request by a detainee.				<i>telephone system.</i>
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Emergency messages are dispatched from the Control Center.</i>
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>DSM verified programmed OIG number is operable.</i>
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainee Supplement and Talton handout
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interpreter services are made available by GEO
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Done on a case by case basis
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy allows for more to include Federal and State Courts, a government office, and in cases of personal family emergencies.
17. Special arrangements are made to allow detainees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only when biographical

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
to speak by telephone with an immediate family member detained in another Facility.				information has been verified by ICE
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Very rare but if so then documentation is placed in Detainee Detention file.
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>			The night shift SIEA makes weekly rounds to all dorms to verify probono and other listed numbers can be accessed.

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.) STDC utilizes the Talton Phone system. There are very few complaints and preventative mainenance is provided weekly with on site visits by the contractor to ensure dial tone and that all phones are in working order. This standard meets all PBNDS components.

b6, b7c

DDO / DSM 8/17/2010

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Four telephones are provided in every housing unit
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Informed when given PIN number and also located in detainee handbook
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Observed and verified
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located in housing unit bulletin boards
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Facility has access to a telephone translation service if needed
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Four telephones are provided in every housing unit
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Documented in unit logbook
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Brought down to processing if necessary
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Speed dial is set up via telephone system
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not an issue at this facility
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No restrictions

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of restrictions located in detainee detention file
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located in processing
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reviewed and given to detainees every shift and documented
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If unable to access system, detainee brought down to processing for call
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Must fill out a request form
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Must fill out a request form
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified by observation
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	X			Documented in the facility liaison checklist

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16-100 addresses telephone usage.
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees sign a form during the admission process indicating receiving information about the telephone procedures to include a PIN to access the telephones.
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Page 3 explains the telephone procedures.
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	These items are posted.
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Telephone information is posted in a variety of languages.
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The largest unit in the facility houses 44 detainees and there are two telephones in every unit.
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Facility staff was not inspecting or documenting the daily phone checks. Effective October 6, 2010, the Warden implemented procedures for the phone checks with documentation of the checks recorded in the housing unit log.
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The phones are located on a wall opposite of the televisions.
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA staff notifies the COTR who contacts the telephone service provider to make needed repairs.
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The COTR is responsible for contacting the phone company for repairs and tracks the completion of repairs.
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A reasonable amount of privacy is provided. The phones are located on a different wall than the officer's station.
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The detainee is referred to ICE staff.
13. The facility provides the detainees with the ability to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special access numbers are

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
make non-collect (special access) calls.				posted.
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no charge for special access calls.
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CCA is able to fully meet this requirement.
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no restrictions for detainees attempting to obtain legal services.
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees are referred to ICE staff.
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There were no telephone restrictions during the rating period.
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16-100.5 C addresses this item. Additionally, Talton, the telephone vendor, has the capability for family and friends to leave a voice mail message for the detainee by calling 888-516-0115.
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See above comment.
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See above comment. Detainees have access to the telephone from 0600 to 2230 hours.
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees are permitted to make these types of telephone calls.
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Telephone calls to consular/embassy officials are permitted.
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16-100.5 K permits phone calls for family emergencies.
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16-100.5 K permits phone calls by "reasonable requests."
26. When detainee phone calls are monitored,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notification is posted by the

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.				telephone area. Detainees must contact the OIC to request an unmonitored attorney phone call.
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified throughout the rating period.
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reported on the weekly report. Documentation of the checks on the appropriate form was initiated on Thursday, September 16, 2010.

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)* Talton manages the phone system for ICE. The rates are posted and reasonable. PREA instructions are posted on each telephone. Telephone instructions are reviewed at time of admissions and are posted on the unit bulletin boards. There is a portable phone in the Special Management Unit. This allows for ready access to the detainee as the detainee can use the phone from inside the cell.

As of Thursday, September 16, 2010, ICE ERO staff was not providing documentation on the required ICE forms that testing of the serviceability of phones was completed. Elizabeth ERO staff reported that the checks were being completed. Forms were provided to line staff immediately by the Acting SDDO and documentation is occurring.

On Wednesday, October 6, 2010, observed no documentation in the housing unit log book of daily phone checks by the facility staff. No checks were occurring. The facility implemented the checks and documentation of the checks into the daily housing unit log schedule.

b6, b7c November 19, 2010
 Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
member detained in another Facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. Detainees are allowed to access to telephones during established facility waking hours, including access to TTY devices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Phones are available throughout the facility during from 6:00 am to 11:00 pm.
2. Upon admittance, detainees are made aware of the facility's telephone access policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Notification explaining the facilities telephone policy is in the Detainee Handbook.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access rules, including updated telephone and consulate number, are posted in housing units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. The facility makes a reasonable effort to provide key information to detainees in languages spoken by any significant portion of the facility's population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A number of informational items are in four languages.
6. Telephones are provided at a minimum ratio of one telephone per 25 detainees in the facility population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facility exceeds the requirement.
7. Telephones are inspected daily by facility staff to ensure that they are in good working order.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Telephones are located a reasonable distance from televisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The facility administration promptly reports out-of-order telephones to the facility's telephone service provider.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The facility administration monitors repair progress and takes appropriate measures to ensure that the required repairs are begun and completed timely.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainees are afforded a reasonable degree of privacy for legal phone calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. A procedure exists to assist a detainee who is having trouble placing a confidential call.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreation staff are authorized to provide these calls when requested.
13. The facility provides the detainees with the ability to make non-collect (special access) calls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Special Access calls are at no charge to the detainees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. In facilities unable to fully meet this requirement initially because of limitations of its telephone service, ICE makes alternate arrangements to provide required access within 24 hours of a request by a detainee.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The facility meets the telephone requirement.
16. No restrictions are placed on detainees attempting to contact attorneys and legal service providers who are on the approved "Free Legal Services List".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Special arrangements are made to allow detainees to speak by telephone with an immediate family member detained in another Facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All telephone restrictions are documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

This Detention Standard ensures that detainees may maintain ties with their families and others in the community by providing them reasonable and equitable access to telephone services.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
19. The facility has a system for taking and delivering emergency detainee telephone messages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Phone call messages are given to detainees as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Detainees are allowed to return emergency phone calls as soon as possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Detainees in disciplinary segregation are allowed phone calls relating to the detainee's immigration case or other legal matters, including consultation calls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU in this facility.
23. Detainees in disciplinary segregation are allowed phone calls to consular/embassy officials.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU in this facility.
24. Detainees in disciplinary segregation are allowed phone calls for family emergencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU in this facility.
25. Detainees in administrative segregation and protective custody are afforded the same telephone privileges as those in general population.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no SMU in this facility.
26. When detainee phone calls are monitored, notification is posted by detainee telephones, including a recorded message on the phone system, that phone calls made by the detainees may be monitored. Special Access calls are not monitored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. The OIG phone number for reporting abuse is programmed into the detainee phone system. The reviewer must verify that the number is operable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The phone was tested and worked all the way to a "communications specialist".
28. The Field Office Director has assigned ICE staff to check and report on the serviceability of facility phones. This is documented on a weekly basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 31. TELEPHONE ACCESS

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

Facility Policy BTC-1-04, Telephone, provides guidance for staff and observations of procedures indicates compliance with the standard.

b6, b7c

b6, b7c March 27, 2011
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CCA does not have a policy reflecting the Transfer of Detainees.
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c DDO/DSM 08/05/2010

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attorneys often call regarding their clients being transferred to other facilities without the attorneys being notified.
2. Notification includes the reason for the transfer and the location of the new facility,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attorneys often call regarding their clients being transferred to other facilities without the attorneys being notified.
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees sign a transfer sheet acknowledging their responsibility to notify family members.
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A USM 533 medical summary form is used to relay information to receiving facilities. Copies of medical records are only transferred with signed authorization from the detainee.
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: Transfers may occur due to different circumstances. Attorneys often call complaining that their client were transferred to other facilities and they attorney were not notified. There needs to be better coordination between Detention and Removals to ensure the Deportation Officer is aware of the transfer and makes and documents the notification to the attorneys of all represented detainees.

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not all officers notified legal counsel of detainees being transferred.
2. Notification includes the reason for the transfer and the location of the new facility,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attorneys are not always notified when a detainee is transferred to another location.
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees sign a transfer sheet acknowledging their responsibility to notify family members.
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A USM 533 medical

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential.				summary form is used to relay information to receiving facilities. Copies of medical records are only transferred with signed authorization from the detainee.
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input type="checkbox"/> Meets Standard <input checked="" type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: Transfers may occur due to different circumstances. DSM found that not all Deportation Officers notify legal counsel when the detainees they represent are transferred to another facility.

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.1.12</i>
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>No later than 24 hours after transfer occurs</i>
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.1.12</i>
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Telephone calls are permitted after the detainee reaches his new destination</i>
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Copies placed in detention file</i>
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.1.12</i>
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>See comments</i>
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 3.1.12</i>
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<i>Per FDC Policy 3.1.12</i>
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> <input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: *(Record significant facts, observations, other sources used, etc.)*

#11 – Three IGSA's along with FDC, makes up what is known as the Florence Complex, they are Pinal County Jail, Florence Correctional Center and Central Arizona Detention Center. When transfers occur from FDC to any of these IGSA's their valuables and property are maintained at FDC. However, limited funds in their accounts do accompany the detainees to these locations.

b6, b7c / January 17, 2011
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. POA submitted.
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 08/19/10

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified.
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 03/09/11

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/ERO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<i>Observed & Documented</i>
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c 6/4/10
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/ERO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<i>Observed & Documented</i>
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed & Documented</i>

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 10/14/10
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 04/19/11

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
<p>1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer</p> <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Random Interviews with Deportation Officers indicate that legal representatives are notified accordingly. However, the routine practice at SDC is that detainees, who have retained counsel, will not be transferred until such time as their cases have been adjudicated
<p>2. Notification includes the reason for the transfer and the location of the new facility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>5. Facility policy mandates that</p> <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainees in the general population 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>6. The detainee is provided with a completed Detainee Transfer Notification Form</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8. For medical transfers:</p> <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10 For medical transfers transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11 Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12 Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14 Meals are provided when transfers occur during normally schedule meal times	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15 An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16 A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: (Record significant facts, observations, other sources used etc.)

Reviewer's Sign b6, b7c 3-25-11

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
location.				
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All detainees are provided with a PIN at the time of their initial book-in, which provides them with the ability to complete the free required three-minute call.
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks:

b6, b7c

b6, b7c 2-1-2010

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/ERO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

21 December 2010

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy 4.7.1 Release and Transfer Procedures mandates these requirements. Notification is noted in the A-File and Enforce.</i>
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy 4.7.1 Release and Transfer Procedures mandates these requirements.</i>
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This process is a requirement and staff were observed and interviewed to ensure continued compliance with this component in the standard.
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The practice at STDC is performed by ICE. ICE maintains a secure process for ensuring compliance with this component.
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.) ICE maintains a database in the share drive to ensure that this standard is covered in its entirety. All forms were verified and A files were reviewed to ensure compliance.*

b6, b7c DDO/DSM 8/19/10

 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Policy and detainee handbook
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notification is completed.
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specific transfer information is not provided to the detainee until the staff starts the processing phase. At that point, the detainees are not permitted telephone privileges until arriving at their final location.
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notification form is provided.
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The form is used and CCA then files it in the detention file.
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Medical transfers are completed and accompany the detainee. A minimum of seven days worth of prescription medications accompany the detainee.
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This procedure is followed.

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Instructions are provided as necessary.
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Documentation in the detention files verify that valuables and property are transferred with the detainee.
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees receive a phone call.
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Procedures are in place to provide meals.
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If CCA transports, the A-file does not accompany the detainee. A-files are maintained in the custody of ICE personnel.
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICE staff forwards or transports the A-file.

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.) Interviewed SDDO [b6, b7c] acting SDDO [b6, b7c] and SIEA [b6, b7c] in the completion of this standard. Elizabeth CDF is used mainly as a removal site. There are minimal transfers.

[b6, b7c] / November 19, 2010
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
marked Medical Confidential.				
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c
 Reviewer's Signature / Date

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. When a detainee is represented by legal counsel or a legal representative, and a G-28 has been filed, the representative of record is notified by the detainee's Deportation Officer within 24 hours of transfer. <ul style="list-style-type: none"> • The notification is recorded in the detainee's file • When the A-File is not available, notification is noted within ENFORCE. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEA b6, b7c indicated during an interview that ICE staff provide the notification.
2. Notification includes the reason for the transfer and the location of the new facility,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The deportation officer is allowed discretion regarding the timing of the notification when extenuating circumstances are involved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The attorney and detainee are notified that it is their responsibility to notify family members regarding a transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Facility policy mandates that: <ul style="list-style-type: none"> • Times and transfer plans are never discussed with the detainee prior to transfer. • The detainee is not notified of the transfer until immediately prior to departing the facility. • The detainee is not permitted to make any phone calls or have contact with any detainee in the general population. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEA b6, b7c articulated the procedures and process appropriately.
6. The detainee is provided with a completed Detainee Transfer Notification Form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Form G-391 or equivalent authorizing the removal of a detainee from a facility is used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. For medical transfers: <ul style="list-style-type: none"> • The Division of Immigration Health Services (DIHS) Medical Director or designee approves the transfer. • Medical transfers are coordinated through the local ICE/DRO office. • A medical transfer summary is completed and accompanies the detainee. • Detainee is issued a minimum of 7 days worth of prescription medications. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Detainees are transferred with a completed transfer summary sheet in a sealed envelope with the detainee's name and A-number and the envelope is marked Medical Confidential.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. For medical transfers, transporting officers receive instructions regarding medical issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

This Detention Standard ensures that transfers of detainees from one facility to another are professionally and responsibly managed in regard to notifications, detainee records, safety and security, and protection of detainee funds and personal property.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
11. Detainee's funds, valuables and property are returned and transferred with the detainee to his or her new location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Transfer and documentary procedures outlined in Section C and D are followed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Indigent detainees unable to make a telephone call at their new location are able to make a telephone call at the government's expense within 12 hours of arrival.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Meals are provided when transfers occur during normally schedule meal times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bagged meals are provided.
15. An A-File or work folder accompanies the detainee when transferred to a different Field Office or sub-office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEA ^{b6, b7c} indicated that the A-file travels with the detainee.
16. A-Files are forwarded to the receiving office via overnight mail no later than one business day following the transfer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 7 - 41. TRANSFER OF DETAINEES

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.)

b6, b7c

March 27, 2011

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See CCA Policy 16-2
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One hour for detainees at Stewart.
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit as all visits are non contact
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit as all visits are non contact
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See CCA Policy 9-5
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As this applies to SPCs and CDFs, CCA Stewart forwards any types of these requests to the FOD
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c DDO / DSM 08/05/2010

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The visitation information is posted at the public access lobby and in the detainee handbook. The detainee handbook does not contain the current schedule. The information is posted in the housing units as an addendum to the handbook.
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rules are provided in English and Spanish. One additional language is required by the standard. EPC is in the process of getting the updated handbook printed.
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit.
13. Anytime a visit is denied, to either a general	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
population detainee or SMU detainee, the denial is documented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard	<input type="checkbox"/> Does Not Meet Standard	<input type="checkbox"/> N/A	<input type="checkbox"/> Repeat Finding
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Remarks: Logbooks were reviewed and visitation process was observed. EPC is in compliance with standard.

b6, b7c	DSM	July 7, 2010
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PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>At front gate and on line, web info is being updated to reflect increased hours of visitation</i>
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>In both English and Spanish</i>
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>At front gate and facility control</i>
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Minors accompanied by an adult are allowed to visit at FDC</i>
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.				
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Upon request</i>
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Per FDC Policy 5.4.4</i>

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Checked at front gate and facility control, logged and issued visitor pass</i>
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Observed</i>
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>FOD approves all visits to tour FDC</i>
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> <input type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding
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Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c / January 04, 2011

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 09/09/10

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. CCA Policy 16-2.
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified. Out times were missing.
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
17. On regular business days, detainees are given the option of continuing a meeting with a legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
representative through a scheduled meal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Verified

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

03/25/11

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 04/19/11

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>IGSA</i>
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 5/11/10

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Documented and observed</i>
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>IGSA</i>
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Policy</i>

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c 10/12/10

Reviewer's Signature / Dat

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minor visitation permitted @ JCDF.
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

21 December 2010

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Handbook and website have the requisite information.
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Minor are allow to visit.
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minor are allow to visit.
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minor are allow to visit at this facility.
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no special housing areas at this facility.
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ICE will be immediately notified according to staff interviewed.
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Facility Policy BTC-1-11, Visitation provides for an acceptable visitation program for detainees housed at the Broward Transitional Center.

b6, b7c

b6, b7c

27, 2011

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reference OCA Policy 10-2
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Visitation schedules are available via telephone inquiry, and the internet (OCA and ICE websites).
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Visitation rules are available via handout, telephone inquiry, and the internet (OCA and ICE websites).
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The visitation dress code is available via handout, telephone inquiry, and the internet (OCA and ICE websites).
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. After that time, on request ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit legal service providers and assistants are identified	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SDC Operates under an IGSA.
24. Provisions for NGO visitation as stated in the Detention Standards are complied with	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks (Record significant facts, observations, other sources used etc.)

Reviewer's Signa [REDACTED] 3-25-11

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The facility does permit visits for children under adult supervision.
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The facility does permit visits for children under adult supervision.
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

Meets Standard
 Does Not Meet Standard
 N/A
 Repeat Finding

Remarks: The Visitor Sign-In, ICE, Court, General Visiting Log, and Attorney Logs were all complete. During an interview with a female detainee, the CR was informed that she did not receive a visit from her attorney, after being informed of the impending visit by the Unit Officer. The problem occurred because the required staff escort did not respond to the housing unit. The issue was brought to the attention of the AFOD and the GEO Compliance Officer. Appropriate action was taken, including a memo to staff to ensure that there is no reoccurrence.

b6, b7c

b6, b7c

2-1-2010

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy 5.2.3
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Posted in lobby and automated message
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy 5.2.3 Page 5
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy 5.2.3 Page 5
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy 5.2.3 Page 5
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
representative through a scheduled meal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy page 13
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy page 14
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GEO Policy page 14

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.) The visitation standard meets the standards for the components in the PBNDS. STDC offers non-contact visits for all visitors thereby minimizing the introduction of contraband.*

b6, b7c DDO/DSM 08/17/2010

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located in post orders and detainee handbook dated 12-01-2010
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees given 1 hour visitation per post orders and detainee handbook
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Posted next to lobby desk and given to visitors at main gate
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located next to officers station
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located at the main gate and in the lobby
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	documented and observed
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Posted next to lobby desk and given to visitors at main gate
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BFDF Policy 5.4.4 identifies this
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Must sign up for visitation same procedure as general population
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BFDF Policy 5.4.4 identifies this
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
and holidays.				
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BDFD Policy 5.4.4 identifies this
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Four attorney / detainee rooms are available in visitation
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BDFD Policy 5.4.4 identifies this
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Must show bar card and photo Identification
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Located on bulletin boards in all housing units
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BDFD Policy 5.4.4 identifies this
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16 -2 addresses Visitation.
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Visitation hours are posted.
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Visitation rules are available in English and Spanish.
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All visitors are signed into the IMS-2 electronic system.
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal property authorized upon admittance into the facility is permitted.
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two minors are permitted to visit at one time as long as they are accompanied by an adult.
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are permitted to visit.
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See above comment.
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There were no denials during the rating period.
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The SMU is listed on the visitation schedule.
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Legal visits are permitted seven days a week from 0600 to 2200 hours.
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA # Policy 16 – 2.5.E.5.b.i follows this policy.

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
holidays.				
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detainees are offered a meal upon completion of the visit.
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Observed detainees meeting with their attorneys in the private consultation rooms.
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 9 – 5 addresses detainee searches.
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16 -2.5.A.2 and E.2.a requires identification.
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCA Policy # 16 – 2. 5. G addresses this component.
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	These requests are forwarded to ICE as per CCA Policy # 16 -2 5. G. 1.
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Former detainees are referred for approval as per Item # 5. G. 3 of the policy.


PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: (Record significant facts, observations, other sources used, etc.) CCA Policy # 16-2 addresses visitation. Visits are recorded via a written log and entered into an electronic visiting system. Visitors are processed through a metal detector and any paperwork is physically searched. Visits are restricted to five visitors per visit. The public may access the schedule and rules via CCA's website or obtain a copy at the facility's front desk. General visitation is restricted to a total of one hour per day and may consist of multiple visits during the day. The general visitation hours are: Mondays through Fridays – 5:00 PM to 10:00 PM and Weekends and Holidays – 9:00 AM to 5:00 PM. Legal Visits are seven days a week from 6:00 Am to 10:00 PM with no time restrictions. The facility is conducting a pilot program on contact

visitation. Every Thursday, contact visits are permitted in 30 minute intervals for all housing units.

On Tuesday, October 5, 2010, a detainee requested a visit with his wife who is also housed at the facility. The visit was approved on Thursday, October 7, 2010.

 b6, b7c / November 19, 2010
Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

b6, b7c

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility Policy 5.4.4 Detainee Visiting and PIDC 5.4.5 Legal Representative Visitation cover this standard. Information is posted in the detainee handbook, housing units and lobby.</i>
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>DSM visually verified compliance.</i>
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Information is provided at the Maingate upon entry into the facility.</i>
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Detainees are permitted to retain personal property items with prior supervisory approval.</i>
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Minors are allowed to visit while accompanied by an authorized adult.</i>
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Facility allows minor visitation.</i>
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week, including holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility provides 13 hours of legal visitation per day including weekends and holidays.</i>
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 5.4.5 Legal Representative Visitation is clear and specific on this issue.</i>
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Facility policy PIDC 5.4.5 Legal Representative Visitation is clear and specific on this issue.</i>

b7e

21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>DSM's observations confirmed compliance.</i>
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

Meets Standard Does Not Meet Standard N/A Repeat Finding

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Reviewer's Signature / Date

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
1. There is a written visitation procedure, schedule, and hours for general visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The visitation information is posted at the public access lobby and in the detainee handbook. The information is posted in the housing units as an addendum to the handbook.
2. The visitation hours are tailored to the detainee population and the demand for visitation. The minimum duration for a visit is 30 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The visitation schedule and rules are available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The hours for all categories of visitation are posted in the visitation waiting area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A written copy of the rules regulating visitation and the hours of visitation is available to visitors in English, Spanish, and other major languages spoken in the facility.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rules are provided in English and Spanish and Portuguese. EPC is in the process of getting the updated handbook printed.
6. A general visitation log is maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Detainees are permitted to retain authorized personal property items specified in the standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A visitor dress code is available to the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
10. The requirement on visitation by minors is complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. At facilities where there is no provision for visits by minors, ICE arranges for visits by children and stepchildren, on request, within the first 30 days.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit
12. After that time, on request, ICE considers a transfer, when possible, to a facility that will allow minor visitation. At a minimum, monthly visits are allowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Minors are allowed to visit.
13. Anytime a visit is denied, to either a general population detainee or SMU detainee, the denial is documented.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Detainees in special housing are afforded visitation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Legal visitation is available seven (7) days a week,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

This Detention Standard ensures that detainees will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security, and good order.

Components	Meets Standard	Does Not Meet Standard	N/A	Remarks
including holidays.				
16. On regular business days legal visitation hours provide for a minimum of eight (8) hours per day and a minimum of four hours per day on weekends and holidays.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. On regular business days, detainees are given the option of continuing a meeting with a legal representative through a scheduled meal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Private consultation rooms are available for attorney meetings. There is a mechanism for the detainee and his/her representative to exchange documents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. There are written procedures governing detainee searches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b7e				
21. Per the Standard, prior to each visit, legal service providers and assistants are identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. The current list of pro bono legal organizations is posted in the detainee housing areas and other appropriate areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. SPCs and CDFs shall submit written requests for tours from domestic or international organizations and associated with detention issues to the appropriate Field Office Director for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Provisions for NGO visitation as stated in the Detention Standards are complied with.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Law enforcement officials, requesting to visit with a detainee, are referred to the ICE Facility Administrator for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Former detainees or aliens in proceedings, requesting to visit with a detainee, are referred to the Facility Administrator or ICE Field Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 5 – 32. VISITATION

<input checked="" type="checkbox"/> Meets Standard <input type="checkbox"/> Does Not Meet Standard <input type="checkbox"/> N/A <input type="checkbox"/> Repeat Finding

Remarks: Logbooks were reviewed and visitation process was observed. EPC is in compliance with standard.

b6, b7c

DSM

January 12, 2011

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

b6, b7c

b6, b7c

et al.,

Plaintiffs,

v.

U. S. DEPT. OF HOMELAND SECURITY,
et al,

Defendants.

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**CERTIFICATE OF SERVICE
OF MOTION DOCUMENTS
AND PROPOSED ORDER**

I hereby certify that on b6, b7c I caused the following documents:

1. Motion for More Definite Statement and Reply
2. Memorandum in Support of Motion for More Definite Statement and Reply
3. Certificate of Compliance
4. Exhibits 1-3

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

b6, b7c

b6, b7c

b6, b7c

CERTIFICATE OF SERVICE

Page 2

I further certify that I caused the proposed order to be filed with the court via e-mail to the following judge who is hearing the motion:

The Honorable Susan R. Nelson

b6, b7c

and I certify that I caused a copy of the proposed order to be e-mailed as noted below, to the following:

b6, b7c

Dated:

b6, b7c

b6, b7c

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700
Highway 60 NE, Worthington,
Minnesota, and all its
appurtenances, parking areas,
and outdoor working areas

Defendant.

CIVIL NO.

b6, b7c

APPLICATION FOR
WARRANT FOR ENTRY
ON PREMISES TO
SEARCH FOR ALIENS
WHO ARE IN THE UNITED
STATES WITHOUT LEGAL
AUTHORITY

The United States of America, on the basis of the attached Affidavit of Special Agent [REDACTED] b6, b7c pursuant to the All Writs Act, Title 28 U.S.C. § 1651(a), and on the basis of the Memorandum of Point and Authorities attached hereto, requests this Court to authorize officers of U.S. Immigration and Customs Enforcement (ICE) to enter the building and areas on the premises described above for the purpose of making such search of the premises as is necessary to locate aliens who are present in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).



The entry and search will be conducted in accordance with the guidelines of applicable Court decisions and policy guidance of ICE.

Dated: December 7, 2006

b6, b7c
United States Attorney

b6, b7c
BY: b6, b7c
Assistant U.S. Attorney
Attorney ID Number b6, b7c

MEMORANDUM OF POINTS AND AUTHORITIES

The Immigration and Nationality Act ("The Act"), 8 U.S.C. § 1101 et. seq., was passed by Congress as a means to restrict illegal immigration into the United States. The Act grants agents of the U.S. Immigration and Customs Enforcement (ICE) general powers to investigate violation of immigration laws.¹ Those powers include the authority to question aliens concerning their status and to arrest without a warrant aliens illegally in the United States. 8 U.S.C. § 1357.

In addition, the Supreme Court has recognized the need for vigorous enforcement of immigration laws and has sought to strike a balance between that need and individual rights. United States

¹ The Homeland Security Act of 2002, Pub.L.No. 107-296 §§ 441, 451, 471; 116 Stat. 2135, 2136-2137 (2002), abolished the Immigration and Naturalization Service (INS) and transferred responsibility for immigration enforcement to the Department of Homeland Security.

v. Martinez-Fuerte. 428 U.S. 543 (1976); and United States v. Brignoni-Ponce. 422 U.S. 873 (1975).

Upon proper application, the United States may obtain judicial process to search for illegal aliens. Almeida-Sanchez v. U.S., 413 U.S. 266, 274-5 (1973). In his concurring opinion, Justice Powell indicated that a showing of probable cause may enable immigration agents to obtain a warrant to assist an investigation in which the immigration agents uses their statutory authority to question and detain aliens. Id. at 282-85.

The use of civil orders to authorize the entry upon premises where illegal aliens are believed to be present and to permit their questioning and arrest, where appropriate, was expressly sanctioned by the landmark decision in Blackie's House of Beef, Inc. v. Castillo, 569 F.2d 1211, 1219-1227 (D.C. Cir. 1981), cert. denied 455 U.S. 940 (1982).

The Blackie's court ruled that since an immigration search is conducted pursuant to a civil administrative mandate, the warrant issued to permit such a search is properly evaluated under the probable cause standard, but the "particularity" requirement is significantly less stringent than that required for traditional criminal warrants. Id. at 1219. Accord, Kotler Industries v. U.S., 586 F.Supp. 72, 75 (N.D. Ill. 1984) ("INS may obtain a search warrant by satisfying a more flexible standard of probable cause than that traditionally applied in criminal cases.").

While the warrant in Blackie's did not specifically name any of the suspected illegal aliens to be questioned, the court found that it was as descriptive as was reasonably possible with respect to the persons sought ("aliens in the United States without legal authority,"); the place to be searched (premises named by a street address); the time within which the search might take place (daylight hours within ten days of the date of the order); and it restricted immigration agents to search only where aliens were likely to be hiding. Id. at 1214, 1226. Further, the affidavits supporting the application for the warrant gave credible reasons for the affiants' suspicions that the persons sought on the premises were possibly illegal aliens. Id. at 1226.

In upholding the Blackie's warrant as "reasonable" within the meaning of the Fourth Amendment, the court held that the warrant need not specifically name the suspected illegal aliens as long as the warrant and accompanying affidavits narrowed down the field of potentially vulnerable persons to those whom Immigration agents might reasonably believe to be aliens. Id. at 1226; accord. Kotler. supra at 76. As such, Blackie's upheld the use of a civil order to gain entrance to premises to search for, question, and arrest unnamed aliens who were believed to be present on the premises. Blackie's at 1226.

The Ninth Circuit reached a similar conclusion in International Molders' and Allied Workers' Local Union No. 164 v. Nelson, 799 F.2d 547 (9th Cir. 1986), where the panel stated:

We have held that an application for a search warrant 'must have sufficient specificity to enable the judge to make an independent determination of whether probable cause exists and to prevent the agents from having uncontrolled discretion to rummage everywhere in search of seizable items once lawfully within the premises.'

Id. at 552; citing U.S. v. Condo, 782 F.2d 1502, 1505 (9th Cir. 1986) (emphasis original). Further, the court in Molders' stated:

[t]he requirement "to identify the suspect(s) by name" or to provide "enough specific identifying information to assure that the search for that person is reasonably likely to result in finding that person" imposes an unreasonable and impractical burden on the INS. We agree (with the Blackie's court) that "warrants and accompanying affidavits that narrow down the field of potentially vulnerable persons to those employees whom INS agents might reasonably believe to be aliens...satisfy the requirements of the Fourth Amendment even where the targeted persons are not identified by name."

Id. at 553. As such, and given that the accompanying affidavit in the present application credibly support the officer's belief that illegal aliens may be found on the premises specified, the warrant sought is sufficiently specific and is "reasonable" within the meaning of the Fourth Amendment.

For the foregoing reasons, the applicants urge that the requested inspection warrant be issued.

Dated: December 7, 2006

b6, b7c

United States Attorney

b6, b7c

BY: [REDACTED]
Assistant U.S. Attorney
Attorney ID Number 151506

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)

ss. AFFIDAVIT OF

b6, b7c

I, [REDACTED] b6, b7c, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent (SA) with the Department of Homeland Security, Immigration and Customs Enforcement (ICE) currently assigned to the office of the Special Agent in Charge (SAC), St. Paul, Minnesota. I have been so employed since May of 1998. Prior to May of 1998, I was employed by the United States Border Patrol for approximately five years. I am responsible for enforcing and investigating violations of the Customs and Immigration laws of the United States to include Sections 8, 18, 19 and 21 of the United States Code along with the Immigration and Nationality Act (INA) and other related statutes. All of the statements and information contained in this affidavit are based upon my review of investigative reports prepared by myself and other law enforcement officers with knowledge of the facts recited; upon my conversations with law enforcement officers having personal knowledge of the pertinent facts; upon my review of official documents and records maintained by various local, state and federal agencies. Based thereon, all of the statements and information contained herein are true and correct to the best of my knowledge, information and belief.

2. Pursuant to the Immigration Reform and Control Act of 1986 (Title 8, United States Code, Section 1324a), employers in the United States are required to verify the identity and employment eligibility of all employees that are hired after November 6, 1986. The "Employment Eligibility Verification Form" (I-9), hereinafter referred to as I-9 form, is used to record the documentation of an employee's identification and employment authorization status. Examples of employee identification documents include state issued driver's licenses and non-driver ID cards. Examples of employment eligibility documents include U.S. Social Security cards, original birth certificates, and unexpired immigration employment authorization permits.

3. Swift & Company, hereinafter referred to as Swift, is the world's second-largest processor of fresh beef and pork. Swift owns and operates beef, pork and lamb processing plants in Marshalltown, IA, Worthington, MN, Grand Island, NE, Greeley CO, Hyrum, UT, Louisville, KY, Cactus, TX and Santa Fe Springs, CA, and employs over 14,000 individuals at these plants (20,000 world-wide). Swift sells to grocery wholesalers, supermarket chains, independent grocers, restaurants, and institutions. Swift is a subsidiary of S&C HOLDCO 3, INC., and the company's corporate office is located at 1770 Promontory Cr., Greeley, CO. Many of the

plants now owned and operated by Swift were previously owned and operated by Monfort, Inc.

4. Swift is enrolled in the Department of Homeland Security Basic Pilot Employment Verification Program and has been since 1996. Prior to enrollment in the Basic Pilot Program, investigation had shown that illegal aliens obtained employment at Swift by presenting fraudulent immigration documents and fraudulent Social Security cards in order to satisfy the requirements of the I-9 form.

5. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required the Immigration and Naturalization Service (INS), and the Social Security Administration (SSA) to conduct three employment verification pilot programs, the Basic Pilot, the Citizen Attestation Pilot, and the Machine-Readable Document Pilot programs. Since the INS became part of the Department of Homeland Security (DHS) on March 1, 2003, the pilot programs now fall under the jurisdiction of the U.S. Citizenship and Immigration Service's (USCIS) Systematic Alien Verification for Entitlements (SAVE) Program. The U.S. Citizenship and Immigration Service's (USCIS) Systematic Alien Verification for Entitlements (SAVE) Program and the Social Security Administration (SSA) are jointly conducting the Basic Pilot Program. The Basic Pilot Program involves verification checks of the SSA and DHS

databases, using an automated system to verify the employment authorization of all newly hired employees. The Basic Pilot Program has been available to all employers in California, Florida, Illinois, New York, and Texas since November 1997, and to employers in Nebraska since March 1999. Participation in the Basic Pilot Program is voluntary, and is free to participating employers. The Basic Pilot Extension and Expansion Act of 2003 extended the Basic Pilot Program to November 2008, and also required the expansion of the Basic Pilot Program to all 50 states and the District of Columbia. A Notice was published in the Federal Register on December 20, 2004, announcing the expansion of the pilot and a new Web-Based Access Method for the Basic Pilot. The Web-Based Access Method became available on July 6, 2004, for employers participating in the Basic Pilot Program and is the only access method available for new users. The Web version of the program allows users to access the Basic Pilot from any personal computer with Internet access. The Basic Pilot system currently checks the Social Security Number and name concordance with Social Security Administration records and Employment Authorization Documentation indices with the USCIS. Because the system relies on the input of personal data supplied by the employee at the time of initial hiring, persons assuming the identity of individuals authorized for employment or assuming the identity of a natural born U.S. citizen

can successfully pass through the Basic Pilot system checks undetected. Basic Pilot currently requires that all documents substantiating a person's identity (Form I-9 List B documents) on the I-9 form submitted by the employee during the employment verification process contain a photograph for identification. The Basic Pilot system, however, does not have a biometric component to ensure that the person presenting the identity document is actually the person appearing on the photograph. Nor does it prevent instances of "true identity theft", wherein an employee assumes the identity of a natural born United States citizen by obtaining a valid, original or certified copy of a birth certificate and corresponding Social Security Number. These documents, which are often sold through brokers or traffickers of identity documents, are often used as "feeder" documents in support of a valid, state issued driver's license or identification card, which the employee can use to satisfy the List B identity document requirements of the Form I-9.

6. Your affiant has conducted investigations involving the theft and/or purchase of identity documents such as United States birth certificates and Social Security numbers of persons eligible to work in the United States by illegal aliens who are not eligible to work in the United States. These identity documents are then used to obtain validly issued state driver's licenses and

identification cards. The identity documents are then used to obtain employment with companies that use the Basic Pilot Program. These identities pass the Basic Pilot Program verification and the individual is granted employment.

7. Current investigations have identified document vendors in the Worthington area that are selling genuine identification documents to illegal aliens. These assumed identities are being used to defeat the verification process of the Basic Pilot Program.

8. On August 7, 2006, an ICE confidential informant (CI) purchased a Puerto Rican birth certificate and a valid Social Security card from a document vendor in Worthington, MN. The CI paid \$850 for the documents. The documents were in the identity of

b6, b7c

The Social Security card was in the name

b6, b7c

and number

b6, b7c

ICE agents

confirmed the Social Security number to be valid by obtaining confirmation from the Social Security Administration.

9. On September 19, 2006, an ICE

b6, b7c

purchased a second Puerto Rican birth certificate and a valid Social Security card from a document vendor in Worthington, MN.

The b6, b7c paid \$850 for the documents. The documents were in the

identity of

b6, b7c

The Social Security card was in

the name

b6, b7c

and number

b6, b7c

10. On July 20, 2006, ICE agents served Swift-Worthington with a Notice of Inspection and administrative subpoena commanding Swift to provide ICE with the Employment Eligibility Verification Forms (form I-9) pertaining to all current employees at the Worthington Plant. This was to include all photocopies taken of documents presented in order to fulfill the employment requirements of the Immigration and Nationality Act (INA). The subpoena also commanded Swift to provide ICE with an employee roster, to include the date of hire and the Social Security number of all current employees.

11. On July 31, 2006, Swift delivered 2,212 I-9 forms and the supporting documents to the ICE office in Bloomington, MN. The supporting documents include the photocopies of the documents presented at the time of hire (i.e. driver's license, Social Security card, I-551 Resident Alien card, United States passport), and the Basic Pilot Program Employment Eligibility verification printouts.

12. Your affiant and other ICE Special Agents reviewed the I-9 forms and supporting documents provided by Swift to ensure compliance with the INA. Agents also reviewed the I-9 forms and supporting documents for possible fraudulent documents and possible false claims to United States citizenship. Agents determined that approximately 840 Swift-Worthington employees are believed to be

illegal aliens who have assumed the identity of a United States Citizen in order to obtain employment. These employees are believed to have obtained identities of United States citizens in order to obtain work at Swift. Your affiant and other ICE Agents used certain factors in identifying individuals believed to be illegal aliens using the identity of United States citizens. These factors included but are not limited to:

b7e

b7e

b7e

Your affiant and other ICE Agents have been successful in identifying illegal aliens using the identity of United States citizens using these factors.

13. On August 10, 2006, ICE agents interviewed

b6, b7c

b6, b7c

at her home in Worthington.

b6, b7c

stated that she and

her mother, [REDACTED] b6, b7c are current employees of Swift in Worthington and would like to provide information regarding several Guatemalan nationals working illegally at the Swift plant.

14. [REDACTED] b6, b7c provided information on several fellow employees that are in violation of immigration laws and are illegally working at the Swift plant. [REDACTED] b6, b7c claimed these employees told her they were from Guatemala and were working using other people's birth certificates from Puerto Rico. [REDACTED] b6, b7c has had numerous incidents and confrontations with these employees and provided this information in order to request that ICE take action against them for violating the immigration laws.

15. The following names of current employees that are working illegally were given by [REDACTED] b6, b7c

[REDACTED] b6, b7c

16. A review of the I-9 forms of the above Swift employees indicates they all claimed to be United States citizens and presented a Minnesota identification card. Three of the employees are using social security numbers that were issued in Puerto Rico. Two of the employees are using social security numbers that were

issued in Texas. These employees are included on the list of suspected illegal aliens based on the type of documents used at the time of hire.

17. On September 18, 2006, [REDACTED] b6, b7c was encountered at the Nobles County jail, in Worthington, Minnesota by ICE agents. [REDACTED] b6, b7c had been arrested in Worthington under the name of [REDACTED] b6, b7c for a parole violation. A fingerprint check indicated that [REDACTED] b6, b7c was not the person who he claimed to be, and he admitted his true name and nationality.

18. During questioning by ICE agents, [REDACTED] b6, b7c admitted to being a native and citizen of Mexico and to have illegally entered the United States without admission. [REDACTED] b6, b7c claimed to have purchased documents in the name of [REDACTED] b6, b7c and to have used those documents to obtain employment at Swift.

19. A review of the I-9 form that was provided by Swift for [REDACTED] b6, b7c shows that [REDACTED] b6, b7c used a social security card and a Minnesota identification card as proof of employment eligibility at the time of hire. Also, [REDACTED] b6, b7c claimed to be a United States citizen on the form.

20. On September 19, 2006, [REDACTED] b6, b7c and [REDACTED] b6, b7c were turned over to ICE after they were encountered in a vehicle stopped for traffic violations by the Minnesota State Highway Patrol.

21. [b6, b7c] claimed to be a United States citizen born in Puerto Rico by the name of [b6, b7c] with a date of birth of [b6, b7c] was using the social security number [b6, b7c] [b6, b7c]

22. [b6, b7c] claimed to be a United States citizen born in Puerto Rico by the name of [b6, b7c] with a date of birth of [b6, b7c] [b6, b7c] was using the social security number [b6, b7c]

23. After further interview by ICE agents, [b6, b7c] and [b6, b7c] were unable to answer any questions pertaining to Puerto Rico and admitted their true identities. [b6, b7c] admitted to being born in Guatemala and [b6, b7c] admitted being born in Honduras.

24. Both [b6, b7c] and [b6, b7c] told ICE agents that they obtained the Puerto Rican documents from a friend in order to obtain employment in the United States. Both [b6, b7c] and [b6, b7c] stated they were currently employed at SWIFT in Worthington, Minnesota.

25. At the time of arrest, [b6, b7c] was in possession of a Minnesota Identification Card issued in the name of [b6, b7c] [b6, b7c] bearing his photograph. Also in his possession was a Social Security card in the name of [b6, b7c] with number [b6, b7c] Both documents appeared to be genuine.

26. Also at the time of arrest, [REDACTED] b6, b7c was in possession of a Minnesota Instruction Permit, Minnesota Identification Card and a Minnesota Driver's License. All were in the name of [REDACTED] b6, b7c [REDACTED] b6, b7c with a date of birth of [REDACTED] b6, b7c [REDACTED] b6, b7c also had three Blue Cross Blue Shield identification insurance cards in the name of [REDACTED] b6, b7c.

27. On September 26, 2006, ICE agents of the RAC/Sioux Falls took a report from a source of information (SOI) regarding illegal workers at the Swift Worthington plant. The SOI gave several names of current Swift employees that used false identities to gain employment. In addition, the SOI provided information about several employees from El Salvador that have been employed even though their work authorization has expired. The SOI stated that an employee of Swift is manipulating the expiration dates of employees work authorizations in order for them to illegally continue employment. One of the names the SOI gave was [REDACTED] b6, b7c [REDACTED] b6, b7c A review of the list of current Swift employees provided to ICE by Swift indicates that [REDACTED] b6, b7c is a current employee of Swift.

28. On October 13, 2006, the ICE office in Bloomington, Minnesota received an anonymous letter via the U.S. mail. The letter is hand written in Spanish and is reporting illegal aliens that have used birth certificates of United States citizens to gain

employment. One of the names listed in the letter is of [REDACTED] b6, b7c

[REDACTED] b6, b7c A review of I-9 forms provided by Swift shows that [REDACTED] is a current employee of Swift and is on the ICE list of suspected illegal aliens that was a result of the I-9 inspection.

29. On October 20, 2006, the ICE office in Sioux Falls, South Dakota, took custody of [REDACTED] b6, b7c with a date of birth of [REDACTED] b6, b7c from the Nobles County Jail in Worthington, Minnesota.

30. [REDACTED] b6, b7c was arrested by Worthington Police for assault with a weapon. The State dismissed the charge due to insufficient evidence and the unknown whereabouts of the victim. ICE was contacted to assist in the identification process and determine if [REDACTED] b6, b7c was in the U.S. contrary to law.

31. When Worthington Police arrested [REDACTED] b6, b7c he identified himself as [REDACTED] b6, b7c with a date of birth of [REDACTED] b6, b7c and was in possession of a Minnesota Identification card under the [REDACTED] b6, b7c name. [REDACTED] b6, b7c admitted to ICE agents that he used the identity of [REDACTED] b6, b7c for employment at Swift in Worthington. [REDACTED] b6, b7c claimed he borrowed the identity documents from a friend to obtain a Minnesota ID card.

32. [REDACTED] b6, b7c admitted to ICE agents that he was a citizen and national of Guatemala with no immigration documents to enter, remain or pass through the United States legally.

33. A review of the I-9 provided by Swift for employee [b6, b7c] [b6, b7c] indicates that [b6, b7c] claimed to be a United States citizen and presented a Minnesota ID card and a social security card bearing the number [b6, b7c]. The I-9 for [b6, b7c] [b6, b7c] is on the ICE list of suspected illegal aliens that was a result of the I-9 inspection.

34. On November 13, 2006, Worthington Police arrested [b6, b7c] [b6, b7c] with a date of birth of [b6, b7c] for Hit/Run and various other traffic violations. At the time of arrest, [b6, b7c] [b6, b7c] identified himself as [b6, b7c] with a date of birth of [b6, b7c]. [b6, b7c] was claiming to be a United States citizen, born in Puerto Rico with a social security number of [b6, b7c].

35. [b6, b7c] was interviewed by ICE agents and admitted to his real identity and to being an illegal alien from Guatemala. [b6, b7c] claimed he obtained the [b6, b7c] [b6, b7c] identity by paying \$850 for a social security card and birth certificate bearing the name [b6, b7c]. [b6, b7c] used these documents to obtain employment at Swift on 10/23/2006. [b6, b7c] was in possession of a Swift employee identification card [b6, b7c], bearing his photograph with the name of [b6, b7c]. [b6, b7c] was also in possession of a Minnesota driver's license/Identification card application

bearing the name [REDACTED] b6, b7c. The application indicates that [REDACTED] b6, b7c presented a Puerto Rico birth certificate and social security card during the application process as proof of identity.

36. Of the 2,212 I-9 forms provided by Swift to ICE, 620 of the forms used social security numbers that were issued in Puerto Rico. In the 2000 census bureau data for the Worthington, Minnesota area, only 27 of the 11,282 residents claimed to be of Puerto Rican descent.

37. In 1996 INS Agents in Bloomington, MN conducted an enforcement operation at the Monfort plant in Worthington, MN. Many of the plants now owned and operated by Swift were previously owned and operated by Monfort, Inc. The enforcement action was conducted as part of an investigation into the sale of Texas birth certificates to illegal aliens. The illegal aliens were using the Texas birth certificates to obtain documents used to obtain employment at the Monfort plant in Worthington. Approximately 8 illegal aliens were arrested during this enforcement operation.

38. In 2002, INS agents from the Sioux Falls, SD office charged and convicted a Human Resources employee of the Swift facility in Worthington, MN. The employee was charged with and convicted of knowingly hiring illegal aliens.

39. ICE requested that the Federal Trade Commission (FTC) compare the list of all suspected illegal aliens working at the Swift facilities throughout the United States to the FTC database containing formal complaints of identity theft made with the FTC. From that list, the FTC identified 326 names and Social Security numbers where the legitimate United States citizen had filed a complaint with the FTC stating their identity had been stolen or was being used by another person. Of the 326 matches, 34 were identities that had been identified as part of the suspected illegal aliens employed at the Swift facility in Worthington, Minnesota. The list of 34 was then compared to the current employee roster provided by Swift, and it was determined that 24 of the identities were still being used at the Swift facility in Worthington, Minnesota.

40. On November 11, 2006, at the request of ICE, Swift provided a list of current employees. Of the list of current employees at the Worthington plant, 791 of the 840 suspected illegal aliens are still employed at Swift.

41. Based on the foregoing, I believe that other illegal aliens are present on the premises described above. A review of Swift's Form I-9's reveals several employees using the identities of United States citizens in order to gain and maintain employment with Swift. Further, the information received by outside parties

in this matter has been corroborated by both documentary evidence and interviews of arrested illegal aliens that were current/former employees of Swift.

42. Wherefore, your affiant request that judicial process be issued to him, or other such Immigration and Customs Enforcement agents as he may designate, authorizing him or them to enter Swift Inc., located at 1700 Highway 60 NE, County of Nobles, Worthington, Minnesota, to interrogate individuals, and, if necessary, to administratively arrest individuals who are illegally present and/or working in the United States pursuant to Title 8, United States Code, Section 1357.

43. It is the intent of ICE to also apply in other judicial districts for authority to enter and search Swift plants for persons who are aliens in the United States without lawful authority; specifically, in Marshalltown, IA, Grand Island, NE, Greely, CO, Hyrum, UT, and Cactus, TX. It is the intent of ICE to conduct the entries and searches simultaneously. This affidavit is submitted in support of a civil order to enter premises where illegal aliens are believed to be present, and, if necessary, to administratively arrest individuals who are illegally present in the United States. It is the intent of ICE to institute civil removal/deportation proceedings for persons illegally present in the United States. Based on my investigation, I believe a

substantial number of the persons who are illegally present in the United States are potential candidates for criminal prosecution for offenses such as criminal immigration violations and identity theft. It is the intent of ICE to subsequently refer to the United States Attorney's Office for criminal prosecution some subset of those taken into administrative custody during the search. ICE has been engaged in ongoing discussions with representatives of the United States Attorney's Office and the Department of Justice concerning those potential criminal prosecutions.

Further the affiant sayeth not.

b6, b7c

Special Agent, ICE

SUBSCRIBED and SWORN to before me
this *SA* day of December, 2006.

b6, b7c

United States Magistrate Judge

ATTACHMENT A
LOCATION OF PROPERTY TO BE SEARCHED

The entire premises and vehicles within the cartilage located at Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, further described as:

Parcel Number 31-3787-000 and Parcel Number 31-3790-000 in the county of Nobles, in the state of Minnesota. A commercial industrial meat processing plant with one main building and several out buildings on the property.

Directly to the north of the facility is Interstate 90 and to the west of the facility is Highway 60. The facility has one main vehicle gate. A chain link fence surrounds the facility on three sides with barbed wire on top. Security personnel housed in an access control booth man the main gate.

ATTACHMENT B
DESCRIPTION OF ITEMS TO BE SEARCHED FOR

1. Aliens who are not lawfully entitled to reside within the United States who are employed at present within Swift & Company; and

2. Counterfeit, altered or imposter documents possesses and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift & Company.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700
Highway 60 NE, Worthington,
Minnesota, and all its
appurtenances, parking areas,
and outdoor working areas

Defendant.

CIVIL NO.

b6, b7c

ORDER
FOR WARRANT FOR
ENTRY ON PREMISES TO
SEARCH FOR ALIENS
WHO ARE IN THE UNITED
STATES WITHOUT LEGAL
AUTHORITY

The United States of America, having filed an application to authorize officers of United States Immigration and Customs Enforcement to enter the building on the premises described above in order to search for persons who are aliens in the United States without legal authority, together with an Affidavit and memorandum of Points and Authorities in support of the application, and the Court finding on the basis of the affidavit that there is probable cause to believe that located within the business premises described above are persons who are aliens in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).

IT IS THEREFORE ORDERED that the officers of U.S. Immigration and Customs Enforcement are authorized to enter the building and

areas on the premises described herein and to make such search as is necessary to locate aliens present in the United States illegally and counterfeit, altered, or imposter documents possessed and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift, Inc. (See Attachment B). In making this search, the agents of ICE are authorized to enter any locked room on the premises in order to locate persons who may be such aliens in the United States without legal authority and, if any such persons are found on the premises, to exercise their authority pursuant to section 287 of the Immigration and Nationality Act, 8 U.S.C. § 1357, to question them to determine whether they are such aliens and, if there is probable cause to believe they are such aliens, to arrest them.

IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006


JANIE S. MAYERON
United States Magistrate Judge

ATTACHMENT A
LOCATION OF PROPERTY TO BE SEARCHED

The entire premises and vehicles within the cartilage located at Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, further described as:

Parcel Number 31-3787-000 and Parcel Number 31-3790-000 in the county of Nobles, in the state of Minnesota. A commercial industrial meat processing plant with one main building and several out buildings on the property.

Directly to the north of the facility is Interstate 90 and to the west of the facility is Highway 60. The facility has one main vehicle gate. A chain link fence surrounds the facility on three sides with barbed wire on top. Security personnel housed in an access control booth man the main gate.

ATTACHMENT B
DESCRIPTION OF ITEMS TO BE SEARCHED FOR

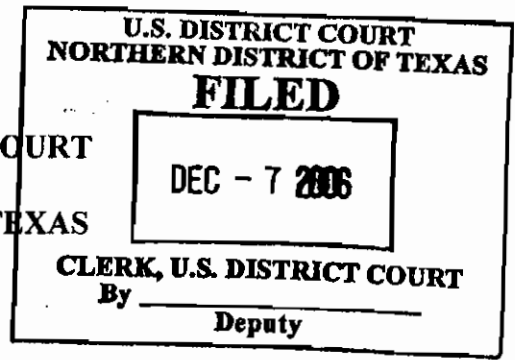
1. Aliens who are not lawfully entitled to reside within the United States who are employed at present within Swift & Company; and

2. Counterfeit, altered or imposter documents possesses and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift & Company.

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION



SWIFT & COMPANY,

Plaintiff,

v.

IMMIGRATION AND CUSTOMS
ENFORCEMENT DIVISION OF THE
DEPARTMENT OF HOMELAND
SECURITY and JULIE L. MYERS,

Defendants.

§
§
§
§
§
§
§
§
§
§

b6, b7c

ORDER

Swift & Company filed an action on November 28, 2006, seeking declaratory and injunctive relief to prevent the Immigration and Customs Enforcement Division ("ICE") of the Department of Homeland Security from proceeding with ICE's December 4, 2006, plan or any comparable planned mass removal of unauthorized workers at 6 of Swift's plants. Swift contends it participated in the Government's Basic Pilot Program and that such a removal would violate the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Pub. L. 104-208, 110 Stat. 3009, by subjecting Swift to civil and criminal liability for actions which it took on reliance on that Program. Swift also contends that such ICE action would deprive Swift of a protected property interest in its business without due process of law. The matter is before this Court on Swift's *Motion for Preliminary Injunction* on which a closed hearing was heard on December 6, 2006.

Legal Standards

In considering Plaintiff's request for a preliminary injunction, this Court must weigh four factors: (1) whether the plaintiff has a substantial likelihood of succeeding on the merits; (2)



whether the plaintiff would suffer irreparable injury were an injunction not granted; (3) whether an injunction would substantially injure interested parties; and (4) whether the grant of an injunction would further the public interest. *University of Texas v. Camenisch*, 451 U.S. 390, 392 (1981). The decision to grant a preliminary injunction is to be treated as the exception rather than the rule. *State of Texas v. Seatrain Int'l, S.A.*, 518 F.2d 175, 179 (5th Cir. 1975). Plaintiffs must carry the burden of proving all four factors. *Black Fire Fighters Ass'n v. City of Dallas, Tex.*, 905 F.2d 63, 65 (5th Cir. 1990).

DISCUSSION

Jurisdiction

This Court has jurisdiction pursuant to 28 U.S.C. §1331 to adjudicate Plaintiff's statutory claim asserted under §403(d) of IIRIRA and its Forth Amendment constitutional due process claim. Plaintiff has standing to assert those claims in this action. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992)(quoting *Whitmore v. Arkansas*, 495 U.S. 149, 155, 110 S.Ct. 1717, 109 L.Ed.2d 135 (1990)). One of the Swift plants is at Cactus, Texas, in the Amarillo Division of the Northern District of Texas.

The Basic Pilot Program

Pursuant to §§401, 402(a) and 404 of IIRIRA, Plaintiff Swift elected to enter into a series of Memorandum of Understandings (MOU) allowing all of Swift's plants to access the Department of Homeland Security's web-based employment eligibility verification system known as the Basic Pilot Program. That program is designed to permit employers to determine whether newly hired employees are legally authorized to work in the United States.

Both IIRIRA and the MOU state that “no person or entity participating in a pilot program shall be civilly or criminally liable under any law for any action taken in good faith reliance on information provided through the confirmation system.” IIRIRA §403(d); MOU Art. II(C)(5).

However, pursuant to Article II(C)(6) of the MOU the government expressly reserves the right “to conduct any other enforcement activity authorized by law.” An employer who signs a MOU agrees to allow ICE to make periodic visits to review Basic Pilot-related employment records and conduct Form I-9 compliance inspections.

Swift argues that its participation in The Basic Pilot Program and the language of 403(d) prevent ICE from causing disruption of business and economic damages which Swift refers to as a *de facto* penalty by conducting a mass removal enforcement action as proposed by ICE. The Court has found no authority that would support that contention and concludes that the language “which offers protection from civil or criminal liability” cannot be parlayed to include economic damages to an employer resulting from the removal of suspected unauthorized workers.

For years a known principal weakness of the Basic Pilot Program has been its inability to detect identity theft. The government has known since at least 2002 that “the prevalence of identity fraud seems to be increasing.” GAO Report 02-363 (March 2002). The government has known since at least August, 2005, that the current Basic Pilot Program can not successfully detect identity theft and would likely permit an unauthorized worker to be improperly verified as work-authorized. GAO Report 05-813 (August 2005).

For example, the program does not check Social Security or IRS databases to determine if a particular social security number is already being used at another workplace. It is known to the government that some social security numbers are widely used at multiple employment locations,

over two hundred workplaces for some numbers, but the Basic Pilot program has not been changed to flag such suspicious numbers or to return non-authorizations for persons presenting identity documents under such conditions.

It should be noted that, despite these known significant flaws, the law permits only limited and insufficient additional verification options to an employer. The Basic Pilot Program provides for a list of acceptable documents which may be furnished to prove identity and establish employment eligibility. Section 1324b(a)(6), Title 8, United States Code, addresses unfair immigration related employment practice as follows:

“A person's or other entity's request, for purposes of satisfying the requirements of section 1324a(b) of this title [setting up the employment verification system to prevent employment of unauthorized workers], for more or different documents than are required under such section or refusing to honor documents tendered that on their face reasonably appear to be genuine shall be treated as an unfair immigration-related employment practice if made for the purpose or with the intent of discriminating against an individual in violation of paragraph (1)[i.e., an alien applying for employment].”

An employer could reasonably consider that the limitation on the documents which it may require makes it difficult to protect itself from the adverse effects of employing unauthorized workers.¹

ICE believes that the enforcement action at issue here will allow ICE to identify and detain persons who are engaged in such identity theft, approximately 170 of which are known by ICE to currently be using false identities at Swift plants to the detriment of U.S. citizens. ICE further expects to apprehend persons who are engaged in large-scale identity theft and document fraud by providing illegal immigrants with documentation permitting them to successfully achieve Basic Pilot

¹ On February 12, 2001, the OSC brought a complaint against Swift for an alleged “pattern and practice” of document-based discrimination, in which it sought civil damages of \$2.5 million. After two years of negotiations, Swift settled the case with no admission of guilt for approximately \$200,000.

system work-authorized verification.

The MOU and the law expressly permit such enforcement actions. At this stage Plaintiff has not shown that it has a substantial likelihood of succeeding on the merits of this statutory claim.

Due Process Claim

Swift argues that by simultaneously conducting the enforcement action at 6 of its 8 work places, ICE will unreasonably cause substantial and irreparable injury to its business in violation of the due process clause of the Constitution. Swift estimates that as many as 40% of its employees might be removed in the enforcement action and estimates that the disruption of its operations could result in as much as a one hundred million dollar loss to Swift. ICE does not dispute that the removal of an estimated 30 to 40% of Swift's 13,000 workers at one time will significantly impair Swift's ability to meet its contractual obligations, negatively impact its business operations, and cause Swift substantial economic damage. ICE argues, however, that Swift has no right to continue to utilize thousands of illegal workers in violation of the immigration laws.

"It is clear, of course, that no Act of Congress can authorize a violation of the Constitution." *Almeida-Sanchez v. U. S.*, 413 U.S. 266, 271, 93 S.Ct. 2535, 2539, 37 L.Ed.2d 596 (1973). "But under familiar principles of constitutional adjudication, our duty is to construe the statute, if possible, in a manner consistent with the Fourth Amendment." *Id.* (citing *Ashwander v. Tennessee Valley Authority*, 297 U.S. 288, 348, 56 S.Ct. 466, 483, 80 L.Ed. 688 (1936)).

The Supreme Court has "consistently has held that some form of hearing is required before an individual is finally deprived of a property interest." *Mathews v. Eldridge*, 424 U.S. 319, 333, 96 S.Ct. 893, 902, ___ L.Ed. ___ (1976)(citing *Wolff v. McDonnell*, 418 U.S. 539, 557-558, 94 S.Ct. 2963, 2975-2976, 41 L.Ed.2d 935 (1974); *Phillips v. Commissioner of Internal Revenue*,

283 U.S. 589, 596-597, 51 S.Ct. 608, 611-612, 75 L.Ed. 1289 (1931); *Dent v. West Virginia*, 129 U.S. 114, 124-125, 9 S.Ct. 231, 234, 32 L.Ed. 623 (1889)). The “right to be heard before being condemned to suffer grievous loss of any kind, even though it may not involve the stigma and hardships of a criminal conviction, is a principle basic to our society.” *Joint Anti-Fascist Comm. v. McGrath*, 341 U.S. 123, 168, 71 S.Ct. 624, 646, 95 L.Ed. 817 (1951)(Frankfurter, J., concurring). The fundamental requirement of due process is the opportunity to be heard “at a meaningful time and in a meaningful manner.” *Armstrong v. Manzo*, 380 U.S. 545, 552, 85 S.Ct. 1187, 1191, 14 L.Ed.2d 62 (1965). See *Grannis v. Ordean*, 234 U.S. 385, 394, 34 S.Ct. 779, 783, 58 L.Ed. 1363 (1914).

While in *Goldberg v. Kelly*, 397 U.S., at 266-271, 90 S.Ct., at 1019-1022, 25 L.Ed.2d 287 (1970), the Supreme Court held that a hearing closely approximating a judicial trial is necessary before governmental action that deprives a person of *essentials* needed for survival, that does not appear to be the case here. “In other cases requiring some type of pretermination hearing as a matter of constitutional right the Court has spoken sparingly about the requisite procedures,” such as an *ex parte* hearing, a probable-cause determination, or a post-action evidentiary hearing such as a trial on the merits. *Mathews v. Eldridge*, 424 U.S. at 333, 96 S.Ct. at 902. These decisions underscore the truism that “ ‘(d)ue process,’ unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances.” *Cafeteria Workers v. McElroy*, 367 U.S. 886, 895, 81 S.Ct. 1743, 1748, 6 L.Ed.2d 1230 (1961). “(D)ue process is flexible and calls for such procedural protections as the particular situation demands.” *Morrissey v. Brewer*, 408 U.S. 471, 481, 92 S.Ct. 2593, 2600, 33 L.Ed.2d 484 (1972). Accordingly, resolution of the issue whether the procedures provided here are constitutionally sufficient requires analysis of the governmental and private interests that are affected. *Arnett v. Kennedy*, 416 U.S. at 167-168, 94 S.Ct., at 1650-1651; *Goldberg v. Kelly, supra*, 397 U.S., at 263-266, 90 S.Ct., at 1018-1020; *Cafeteria Workers v. McElroy*, 367 U.S., at 895, 81 S.Ct., at 1748-1749. More precisely,

identification of the specific dictates of due process generally requires consideration of three distinct factors: First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail. *See, e. g., Goldberg v. Kelly, supra*, 397 U.S., at 263-271, 90 S.Ct., at 1018-1022.

Instead of a one-day raid at six plants, Swift proposes that ICE conduct a phased workplace enforcement action over a ten week to four-month period, targeting one plant at a time. Swift believes that such a plan, while still costing Swift significant damages, is the best way to minimize damages and argues that it would catch as many illegal workers as would be caught under ICE's plan of action.

ICE has rejected that proposal because, in part, it is impossible to proceed in such a manner without alerting other suspects who will then disappear into the homeland, each one possessing false documentation permitting them to receive employment verification through the Basic Pilot Program with another employer.

As a case in point, between October 19, 2006, and November 17, 2006, Swift voluntarily conducted approximately 450 interviews of suspect employees at several of its plants. Swift found that between 90 to 95% of its suspect employees were either not who their identification documents said they were and/or they were not legally eligible to be employed in the United States. Over 400 illegal workers were terminated, self-terminated (quit), or did not show up for scheduled interviews and were fired. Swift did not notify ICE. Neither Swift nor ICE knows where those 400 workers are now. Swift ended that self-review at ICE's insistence.

It is clear, as ICE contends, that it is impossible to proceed in the manner advocated by Swift without alerting suspects who will then disappear into the homeland, each one possessing false documents permitting them to receive employment verification through the Basic Pilot Program with another employer.

Form I-9 review is a "snapshot in time," a view which ICE believes may be months out of date by the date its enforcement action occurs at the workplace. Therefore, ICE believes that it must interview all Swift workers because it can not accurately determine on the basis of Form I-9 reviews alone which workers are illegal and which employees are legally entitled to work. ICE therefore believes that the most effective enforcement action is one in which it interviews all workers at all six plants and all in one day.²

ICE proposes to interview all workers in one day by gathering, with Swift's consent, the workers on each shift in a common place such as the cafeteria as they report for work. It believes that this procedure will avoid problems such as contamination of product that might occur if it interviewed workers on the floor as they work.

The Court finds that Swift has not carried its burden of showing that grant of the requested injunction would further the public interest. Swift has not proposed, and this Court has not been able to devise, a procedure that would not be detrimental to important public interest and at the same time protect Swift from economic loss. The testimony in this case and the General Accounting Office reports on identity theft which are filed of record in this case evidence that U.S. citizens are being harmed, continually and daily, by identity theft and document fraud of the types which this

² ICE's review of the Form I-9s at Swift's other two plants showed no significant numbers of suspected illegal workers, therefore ICE does not propose to raid those plants at this time.

enforcement action specifically targets. The testimony that Federal Trade Commission reports show that 331 Swift employees have used false identities to the harm of other citizens, 170 of which still work at Swift, is evidence that grant of the requested injunction would harm the public's interest in quickly catching such criminals, swiftly breaking up any rings which cause or contribute to such harm, and minimize continuing damages to innocent citizens. While Swift has offered to assist ICE in apprehending the 170 current workers and agreed to assist ICE in enforcement actions to catch and break up identity theft operations at Swift plants, beyond that general offer no showing was made that grant of the injunction specifically requested by Swift would accomplish those goals, or how.

Conclusion

The Court concludes that:

- 1) Plaintiff has not established a substantial likelihood of succeeding on the merits;
- 2) the Plaintiff will suffer irreparable injury if the injunction is not granted;
- 3) an injunction would substantially injure legitimate ICE enforcement activities; and
- 4) the grant of an injunction would not further and, in fact, would be contrary to the public interest.

Accordingly, the *Motion for Preliminary Injunction* is DENIED.

CAVEAT

Swift did not bring this action on behalf of the employees to be interviewed.

In argument, ICE argued that *INS v. Delgado*, 466 U.S. 210, 104 S.Ct.(1984), authorized it to conduct a factory survey of the work force in search of illegal aliens by walking through the plant and interviewing the workers as they performed their duties. In *Delgado*, the INS conducted a

survey of the work force at a garment factory (Southern California Davis Pleating Co.) in search of illegal aliens. INS agents moved systematically through the factory approaching employees and identifying themselves and asked the employees from one to three questions relating to their citizenship. During the survey, employees continued with their work and were free to walk around within the factory. Questioned employees who were United States citizens or permanent resident aliens alleged that the survey violated their Fourth Amendment rights. The Supreme Court held that their Fourth Amendment rights were not violated under the circumstances.

The facts in the case before this Court involving a meat packing plant are significantly different from those in *Delgado*. Workers in a meat packing plant are working with exceedingly sharp knives and with potentially dangerous equipment along a steadily moving line. The difficulty of safely interviewing employees under those circumstances is apparent.

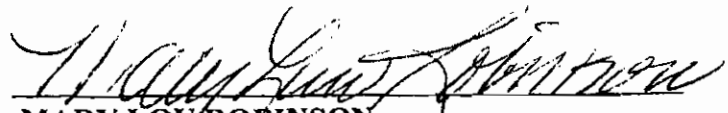
ICE has stated that, if Swift consents, it will interview all of the employees at a central location as each shift reports for duty. There remain questions concerning the nature and length of detention.

This Order does not address the Fourth Amendment rights of the employees to be questioned under either of these scenarios and should not be so construed.

For the reasons set forth above, Plaintiff's *Motion for a Preliminary Injunction* is DENIED.

It is SO ORDERED.

Signed this the 7th day of December, 2006.


MARY LOU ROBINSON
United States District Judge

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
BLOOMINGTON, MINNESOTA

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APPEARANCES

COUNSEL FOR RESPONDENTS:

[REDACTED] b6, b7c ATTORNEY
[REDACTED] ATTORNEY
[REDACTED] ATTORNEY

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COUNSEL FOR THE GOVERNMENT:

[REDACTED] b6, b7c ATTORNEY
[REDACTED] b6, b7c ATTORNEY
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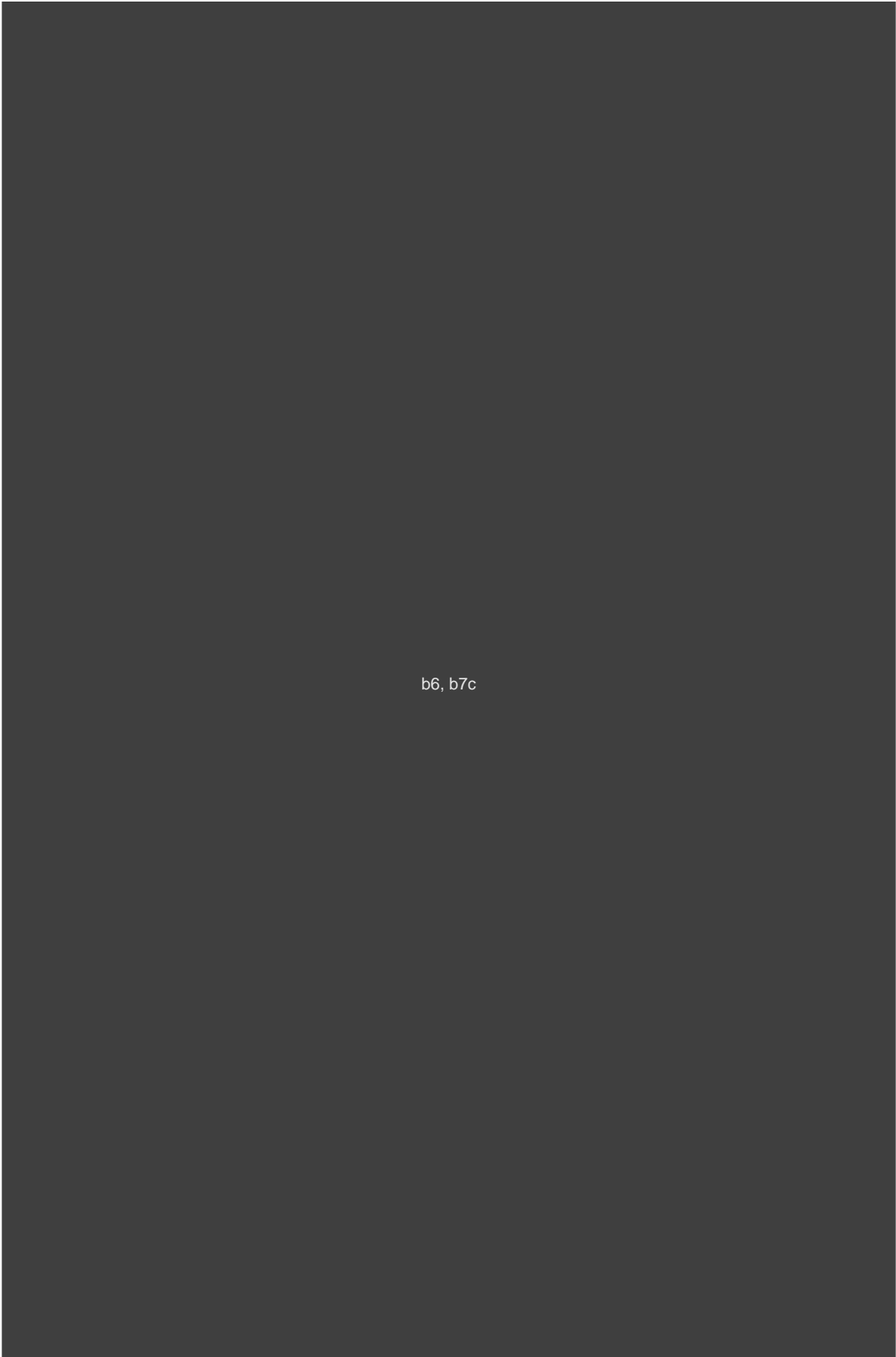
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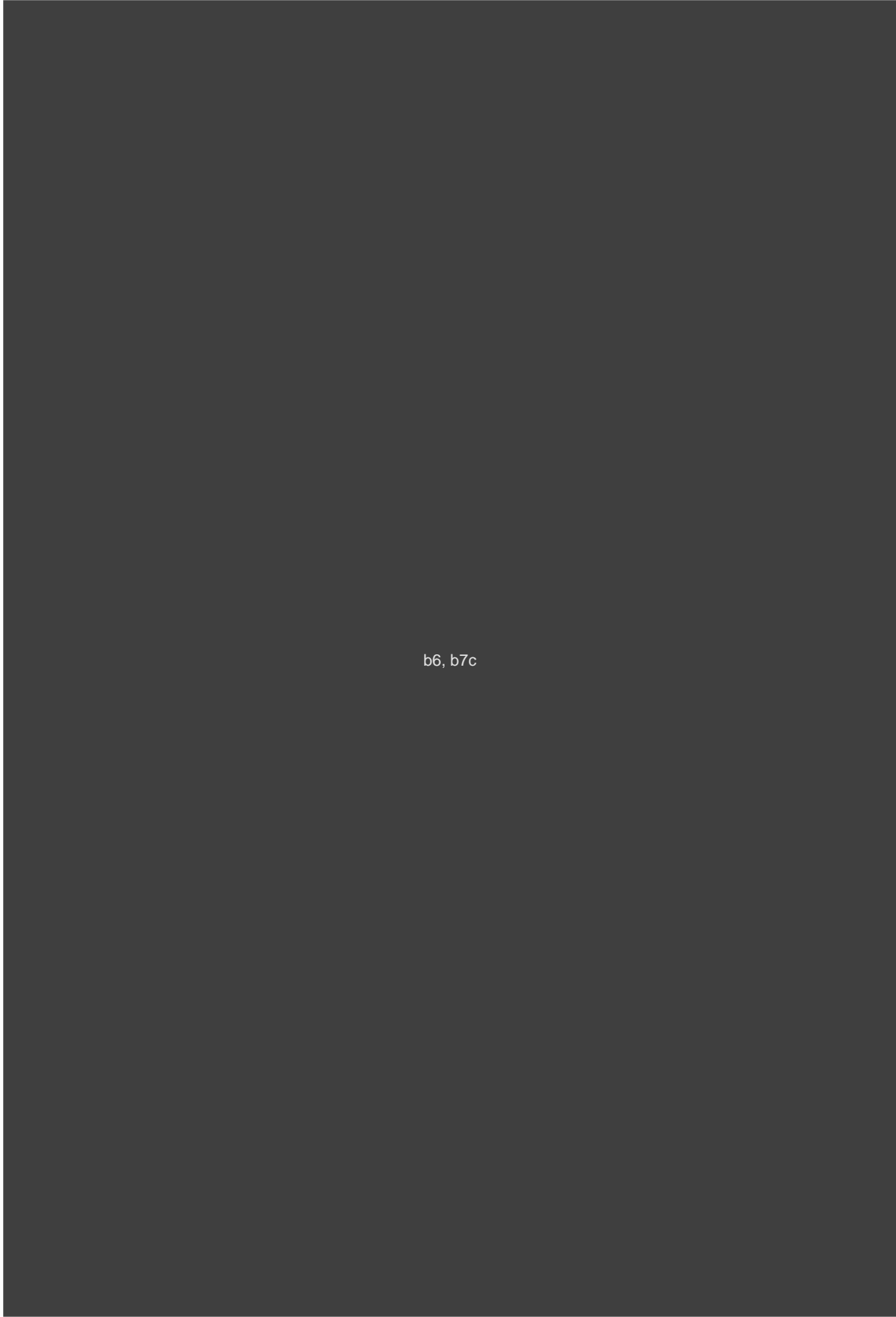
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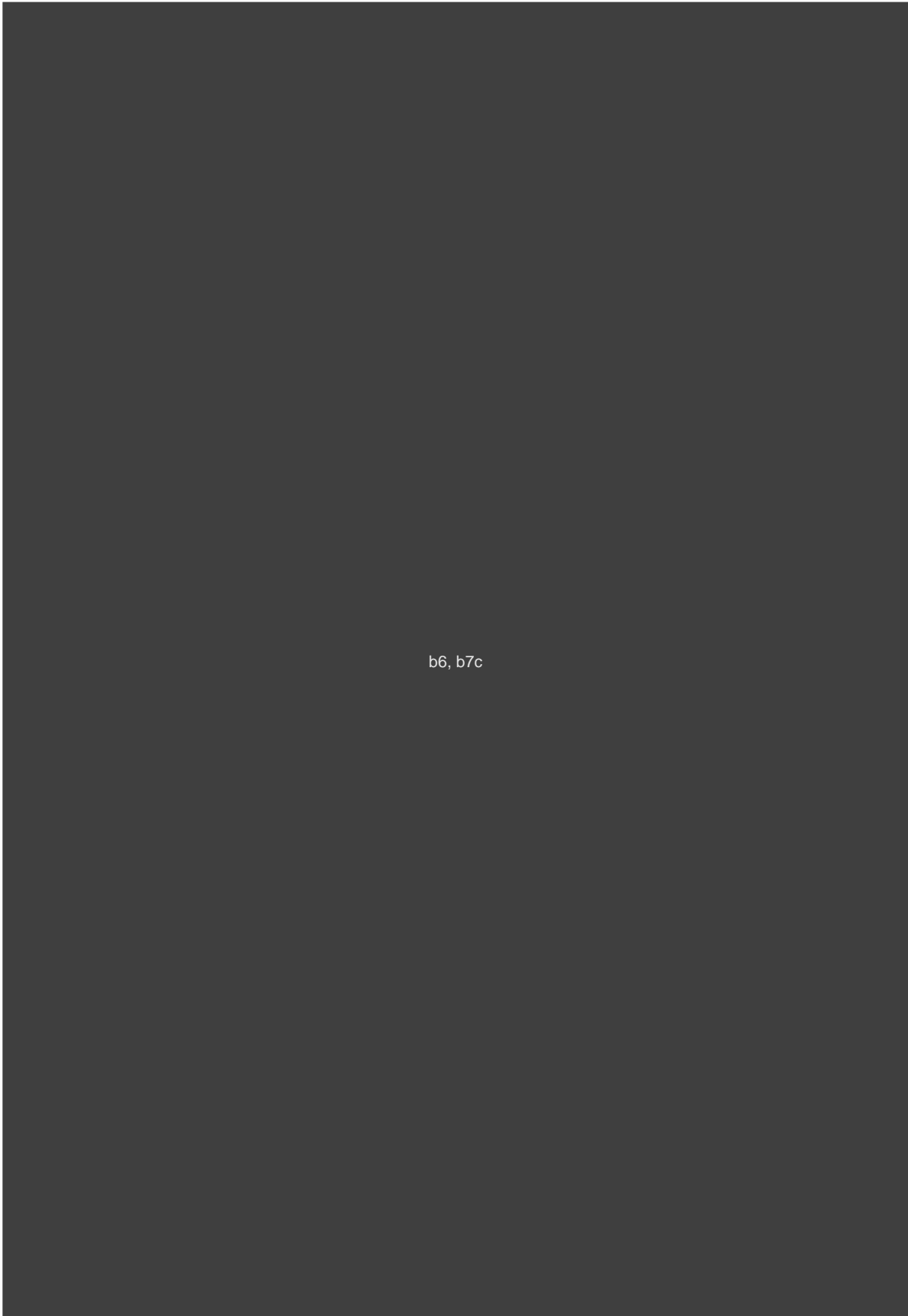
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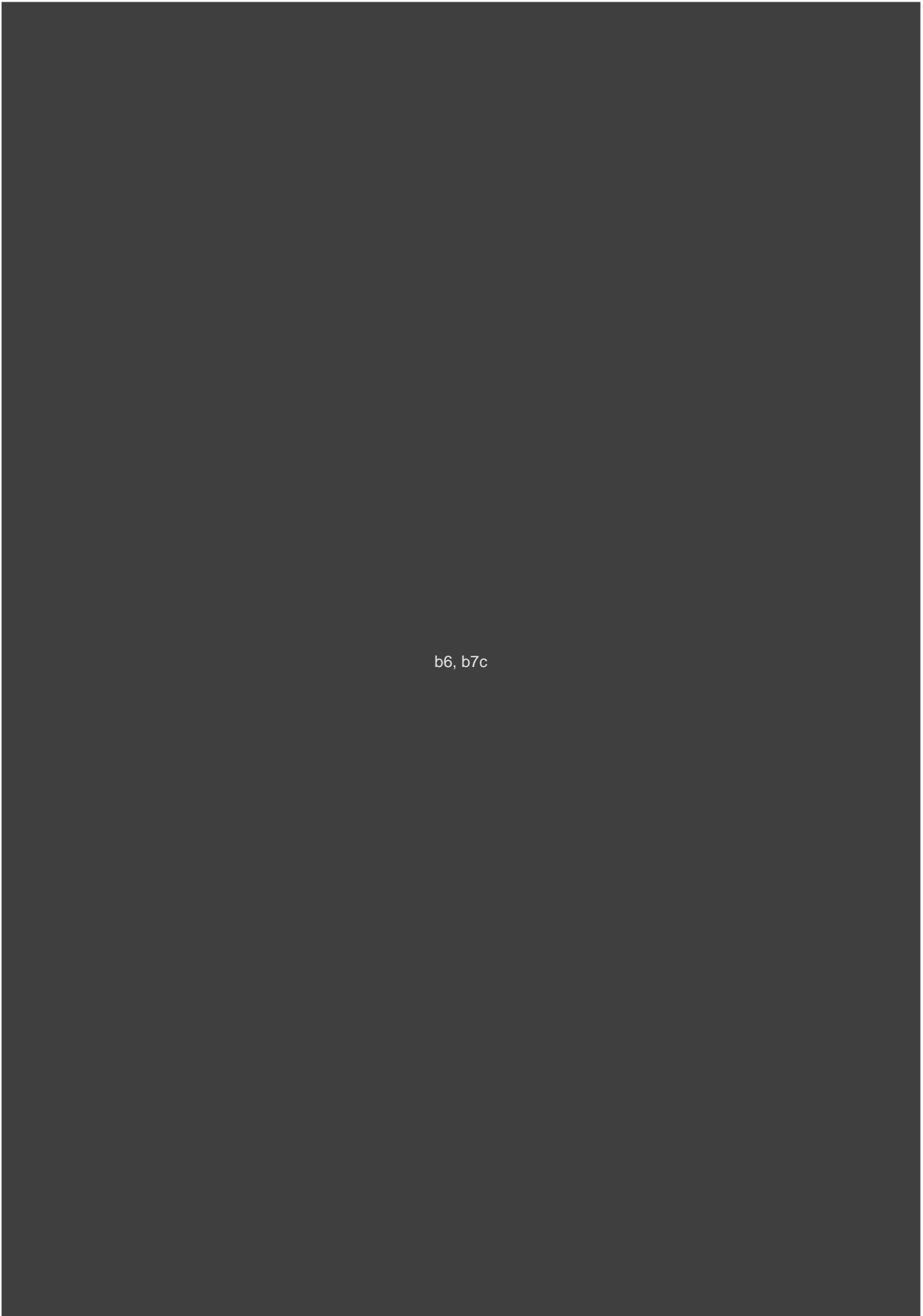
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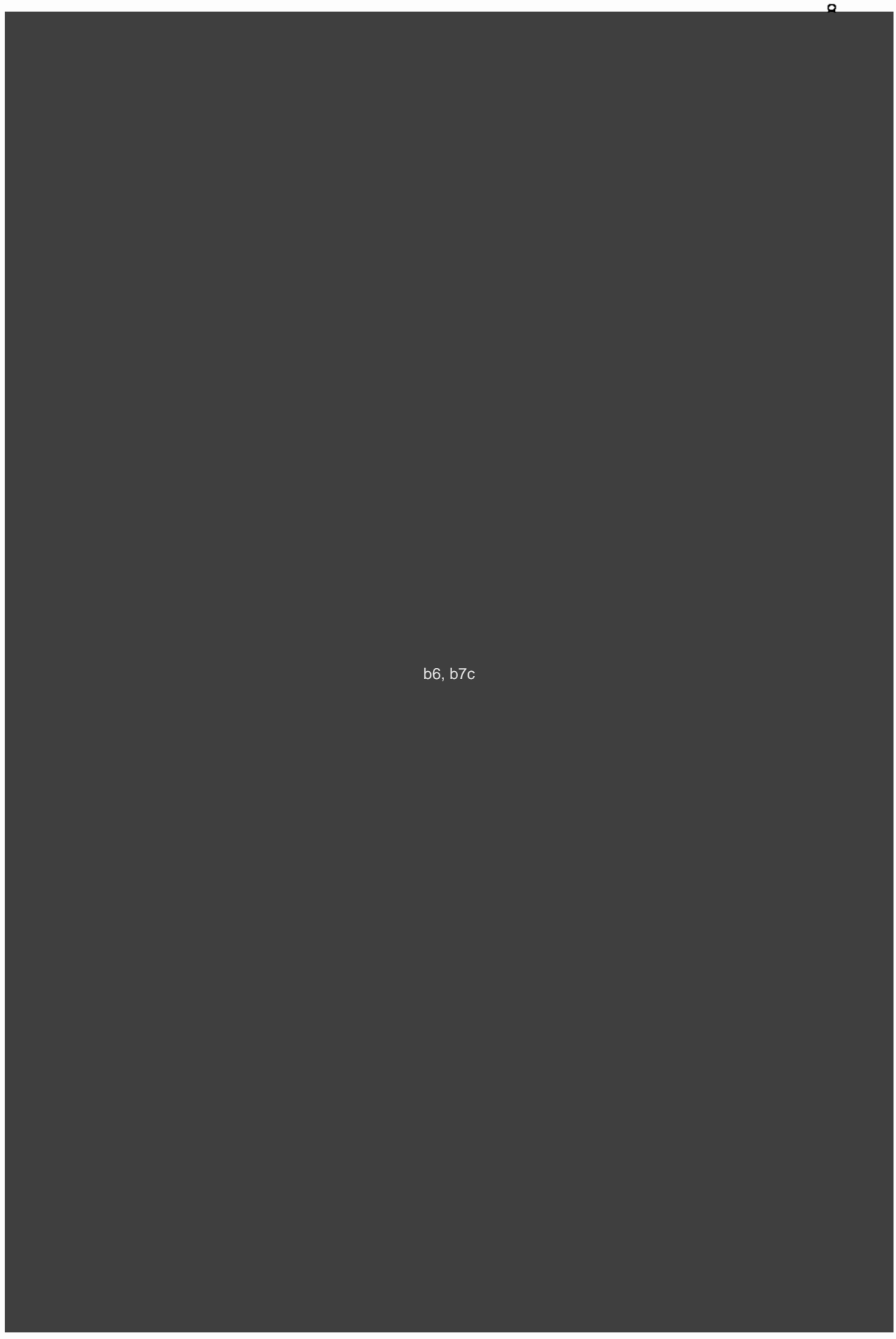
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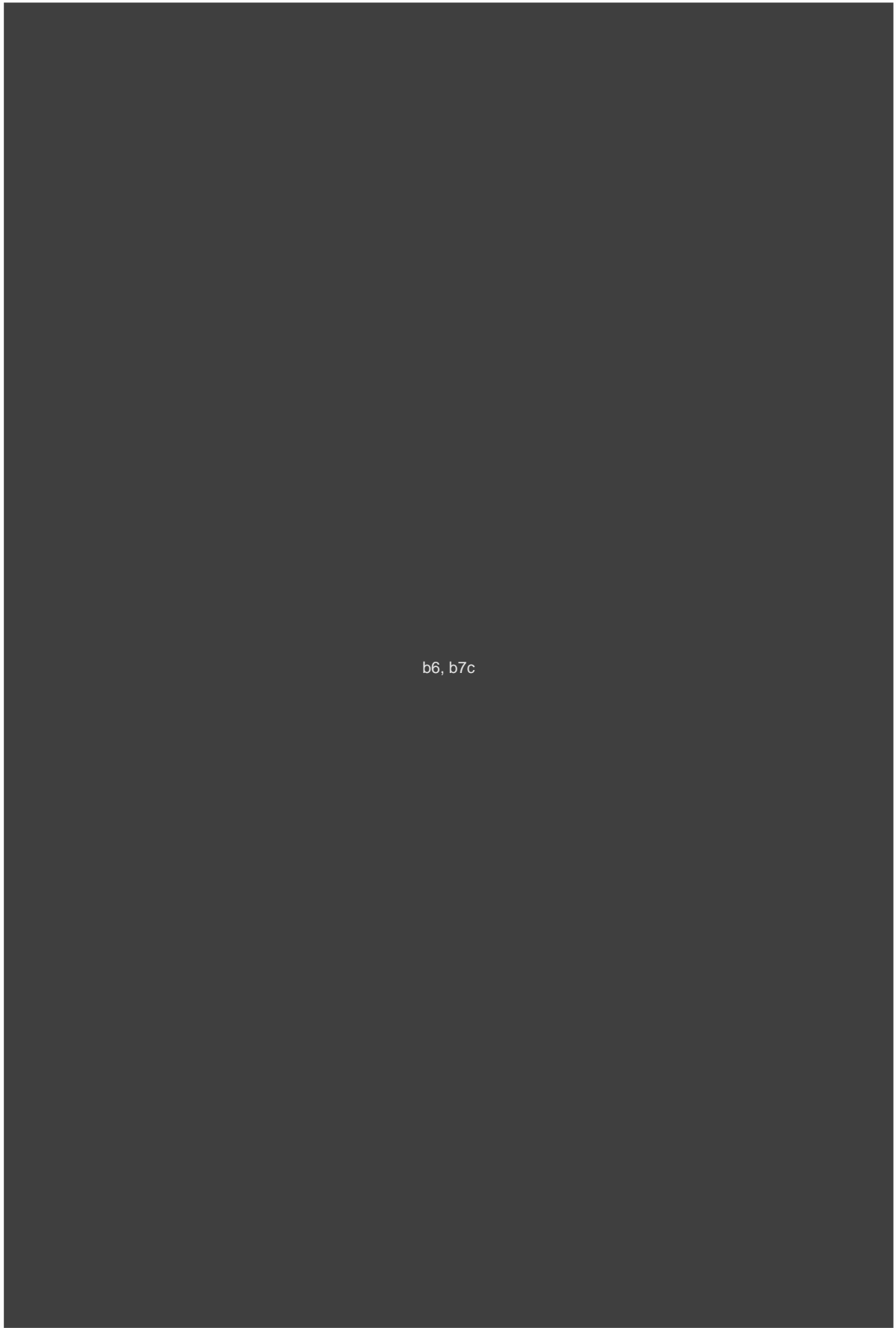
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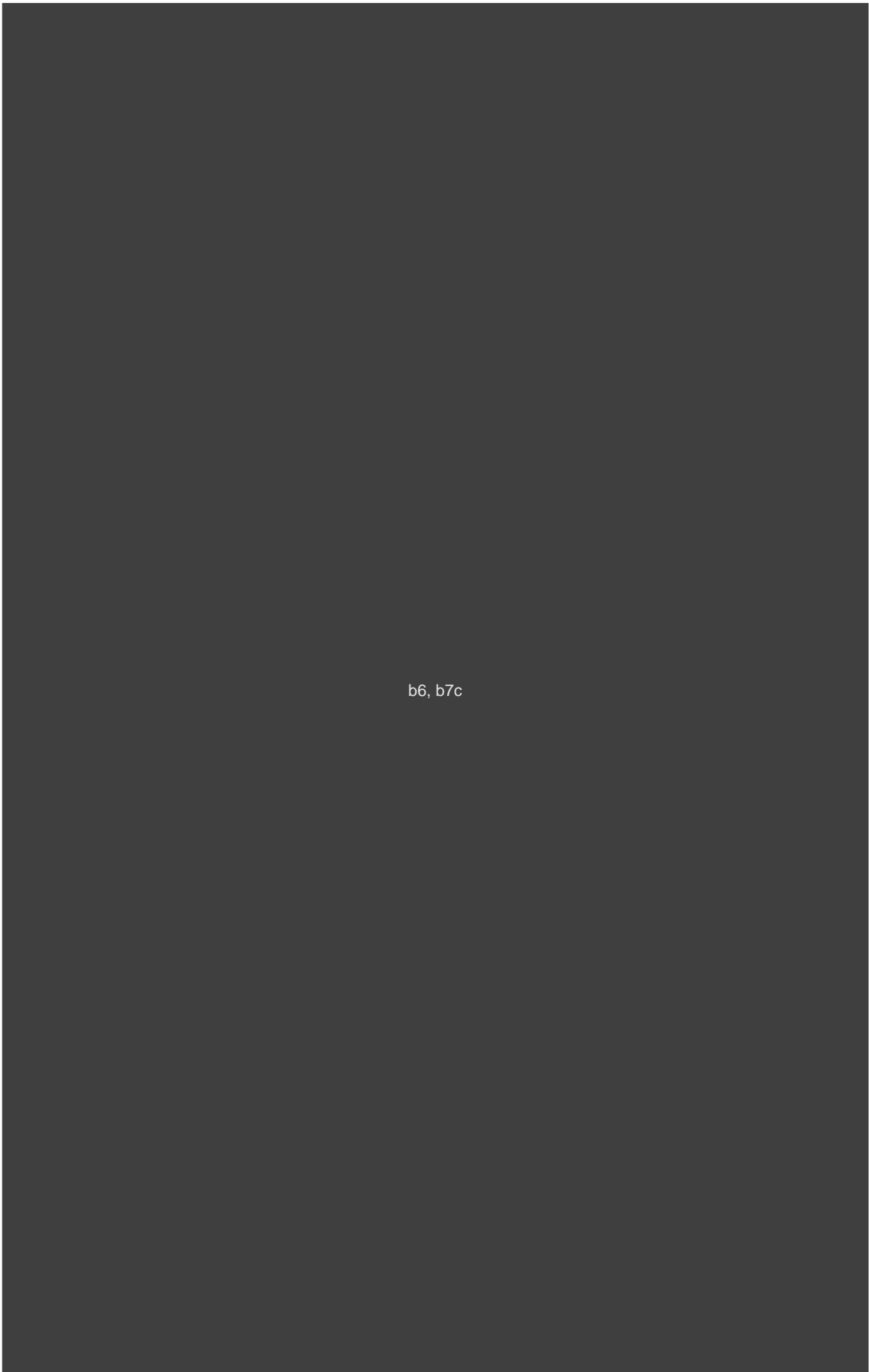
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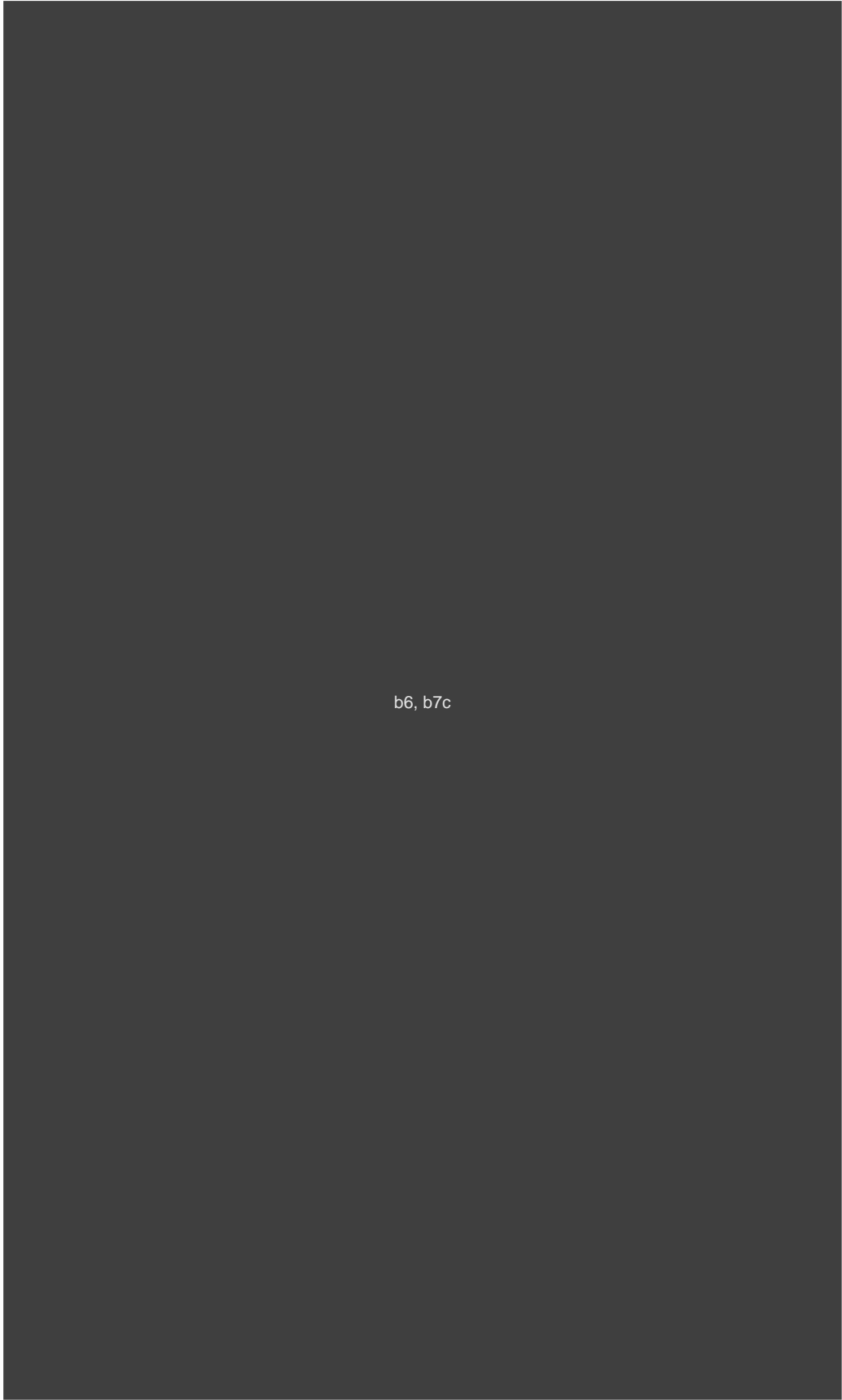
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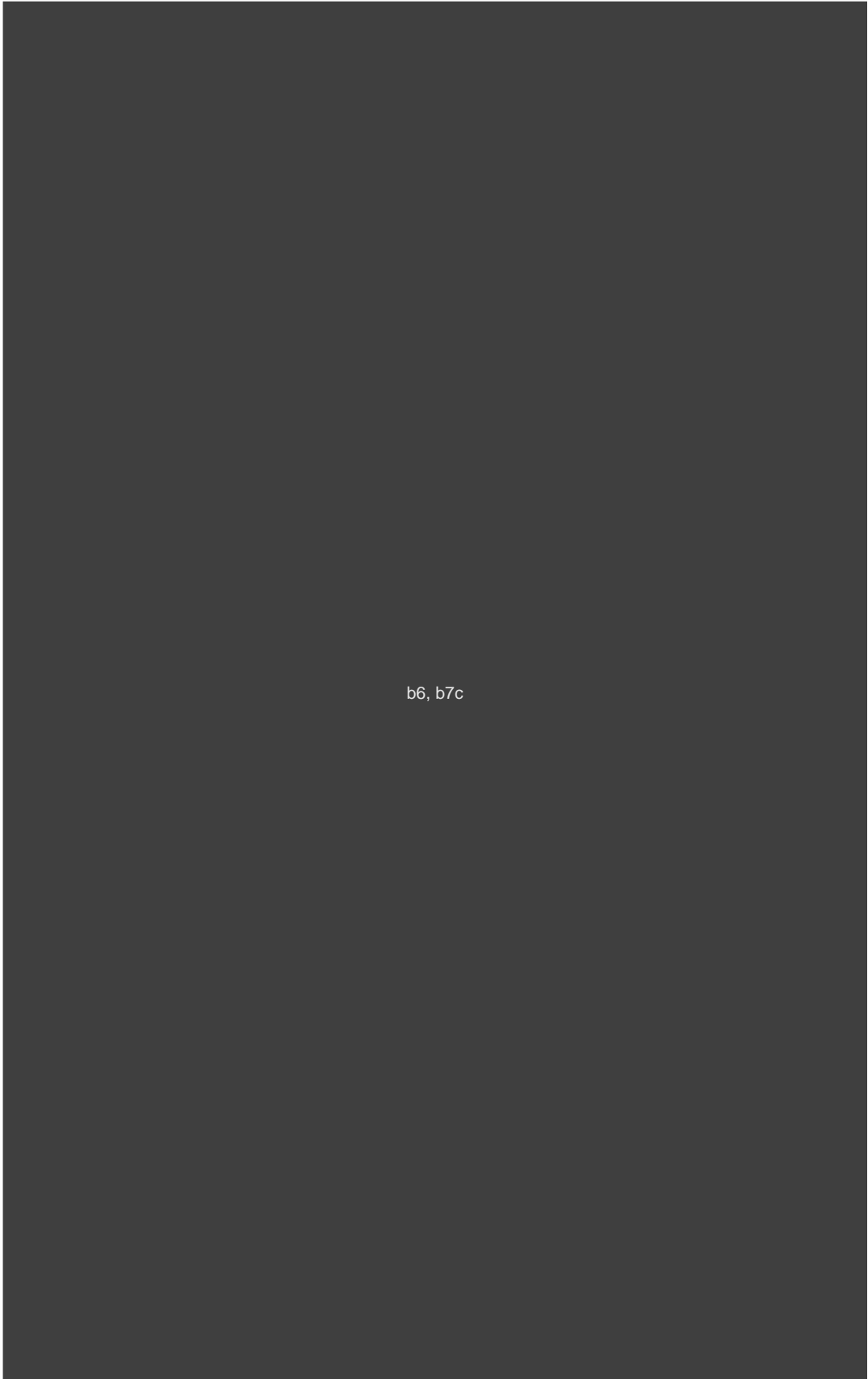
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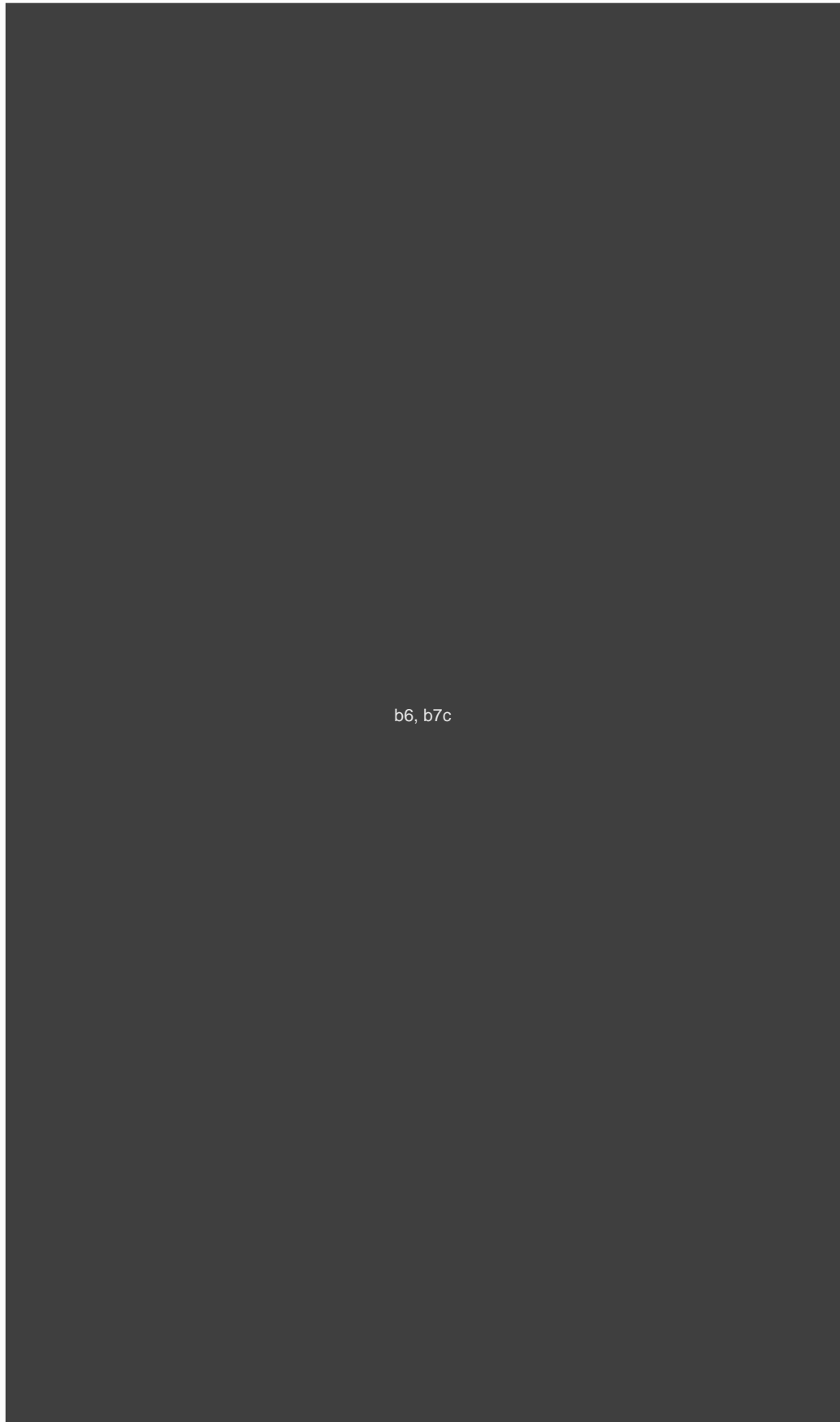
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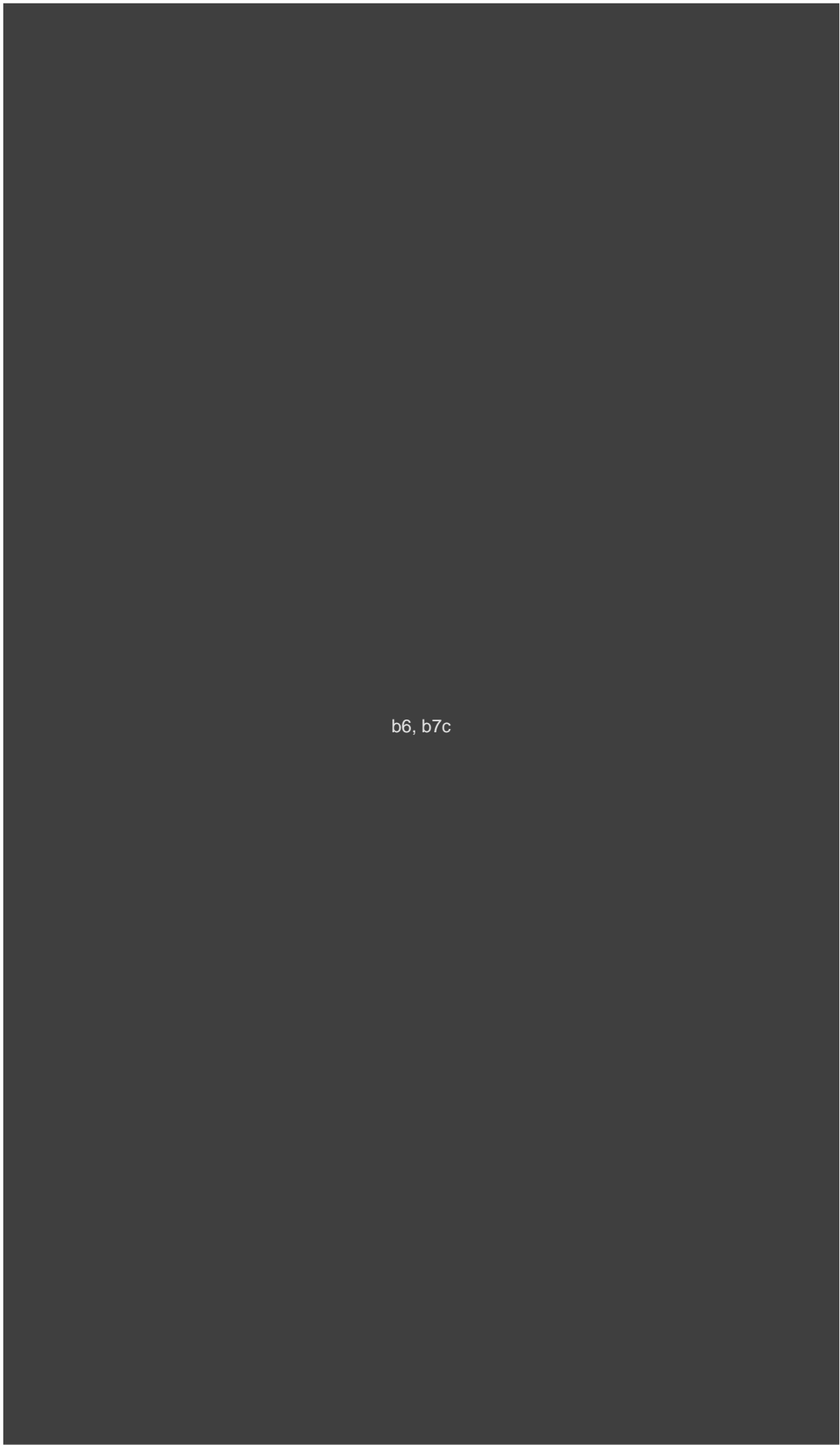
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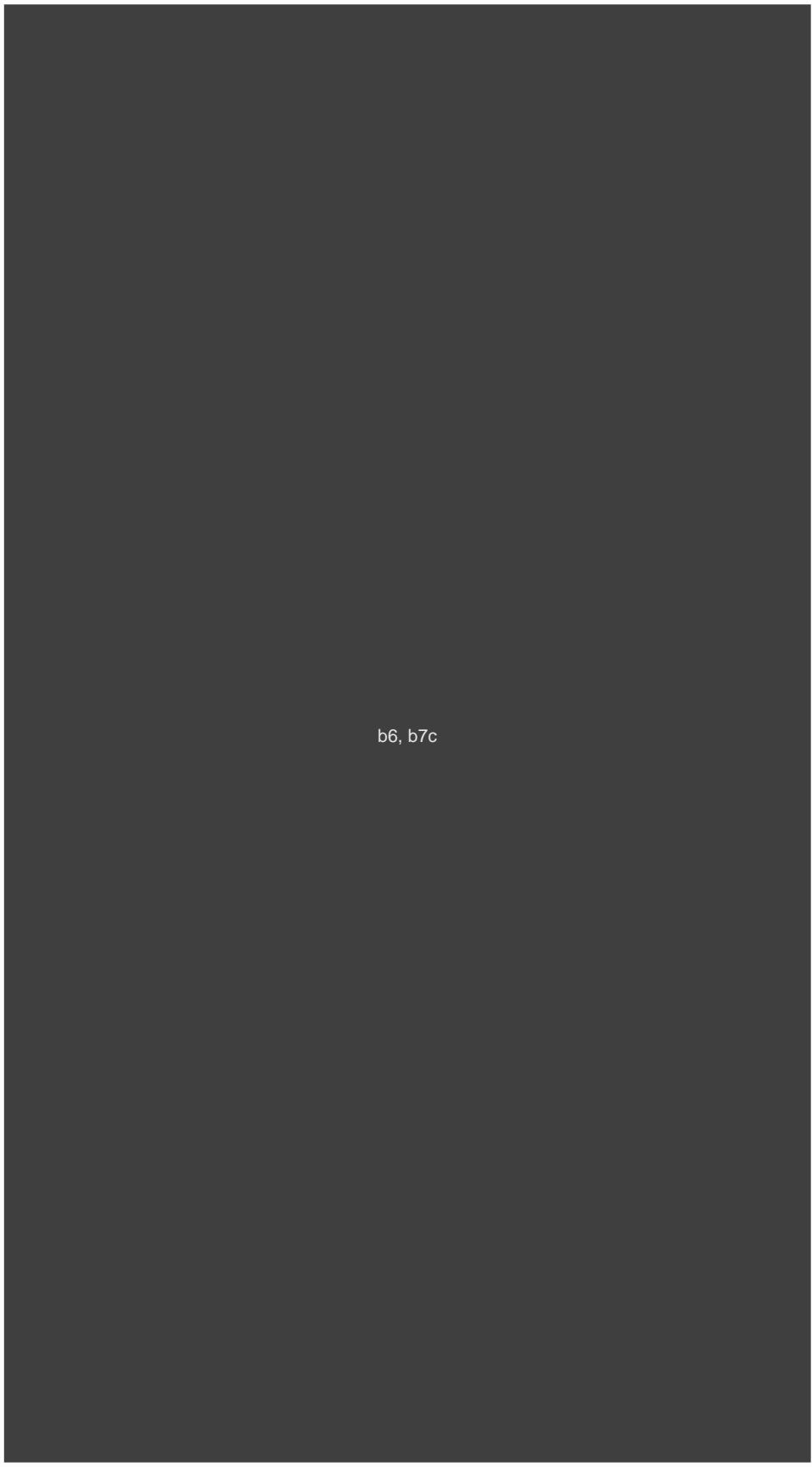
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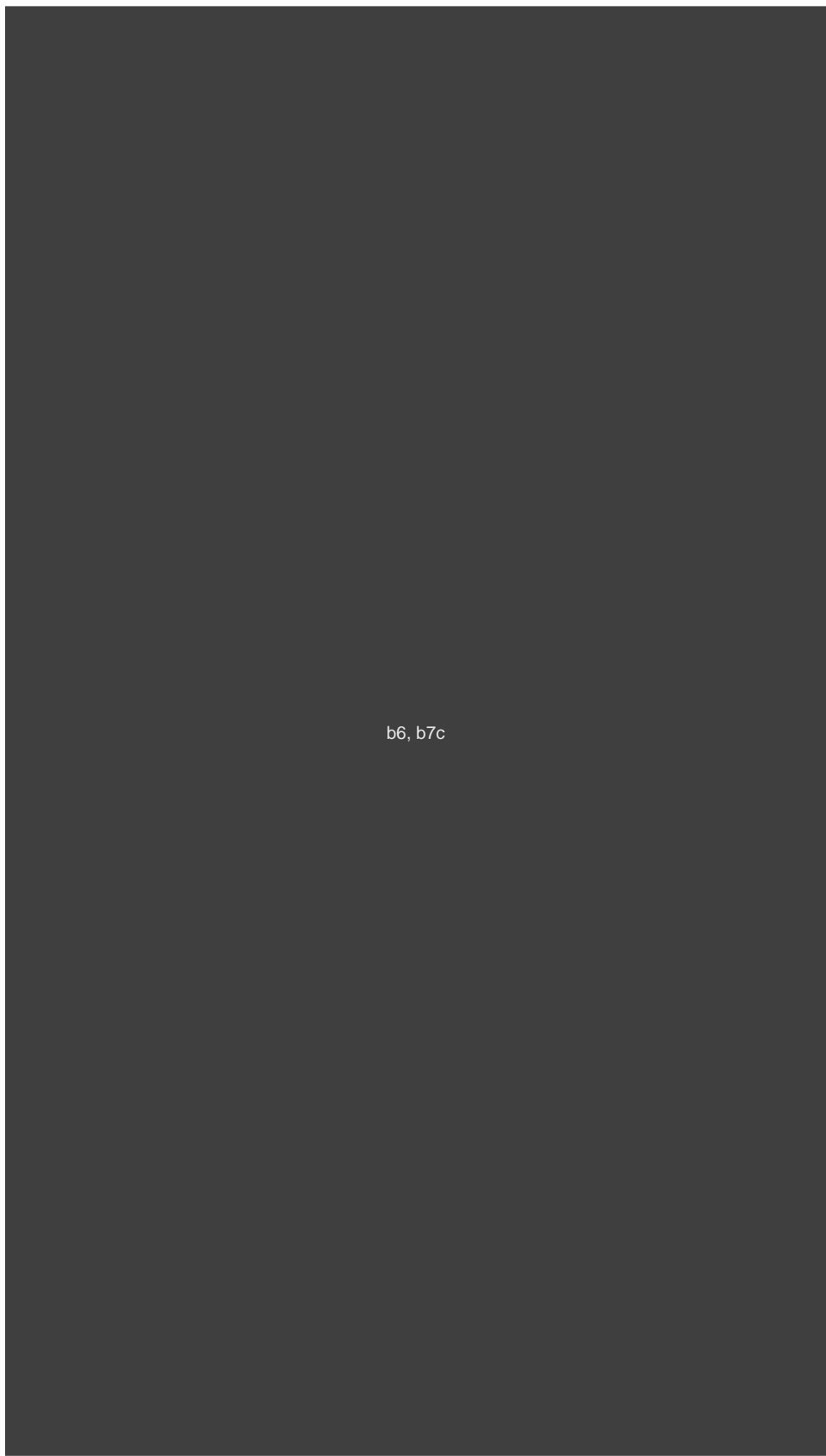
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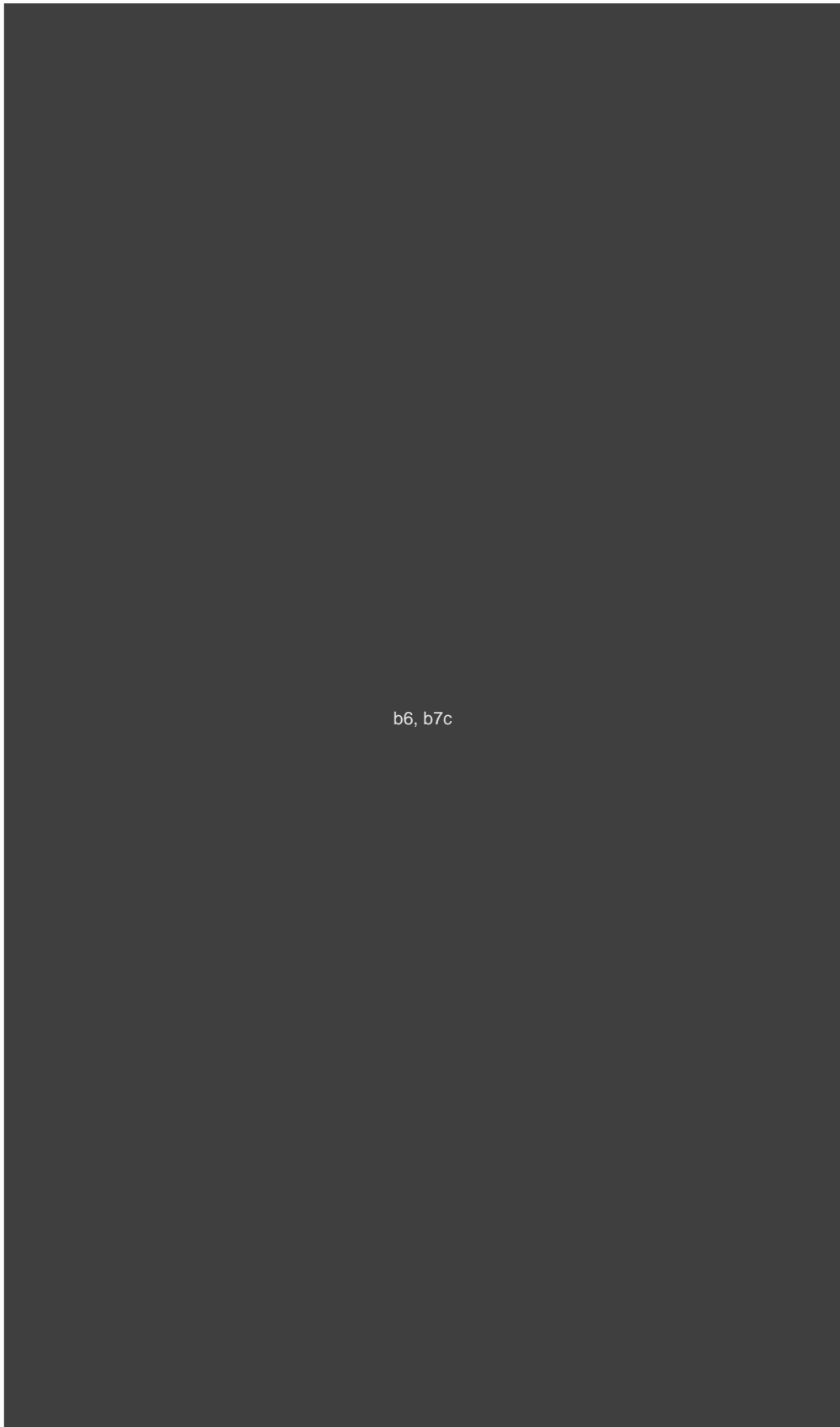
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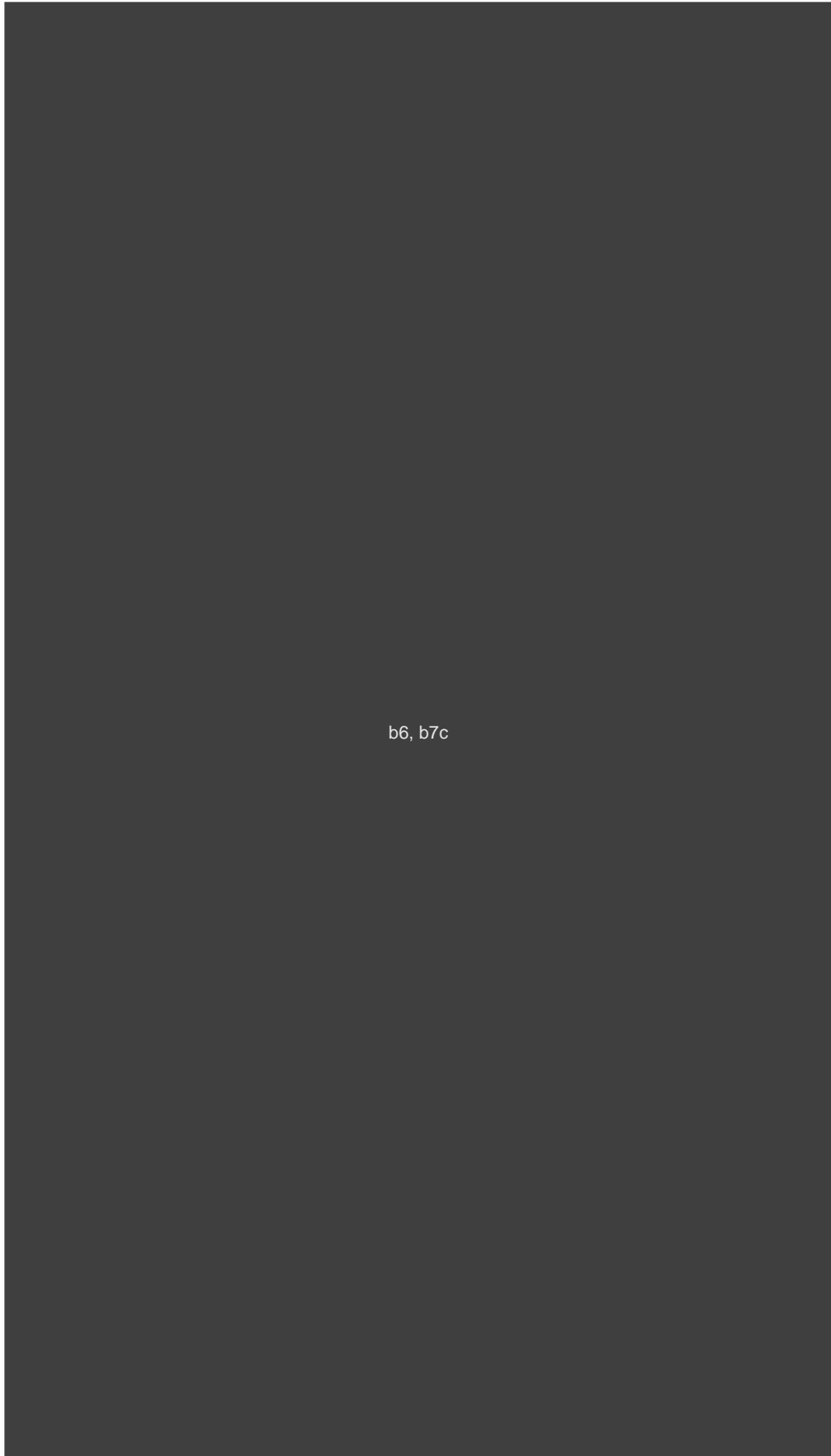
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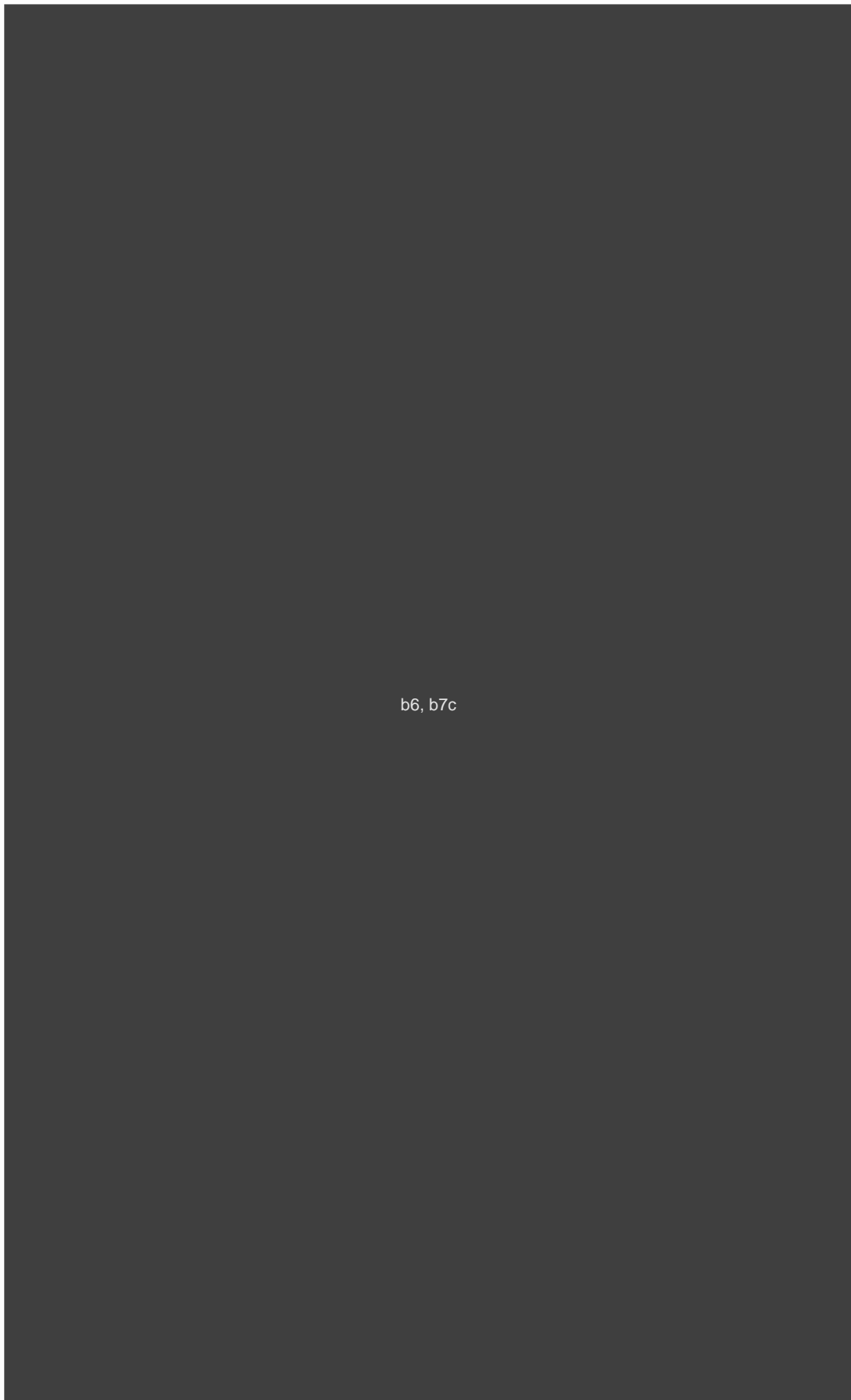
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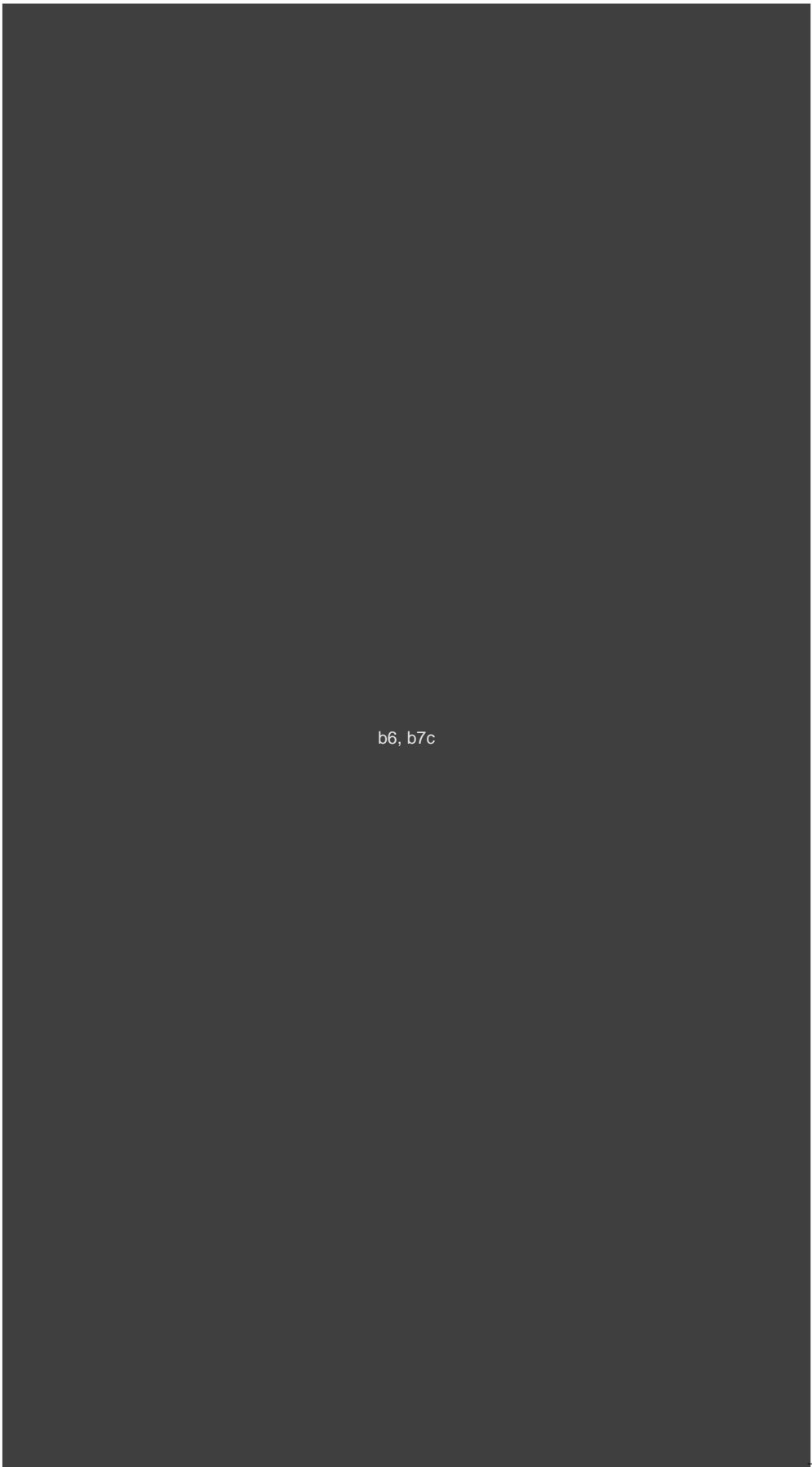
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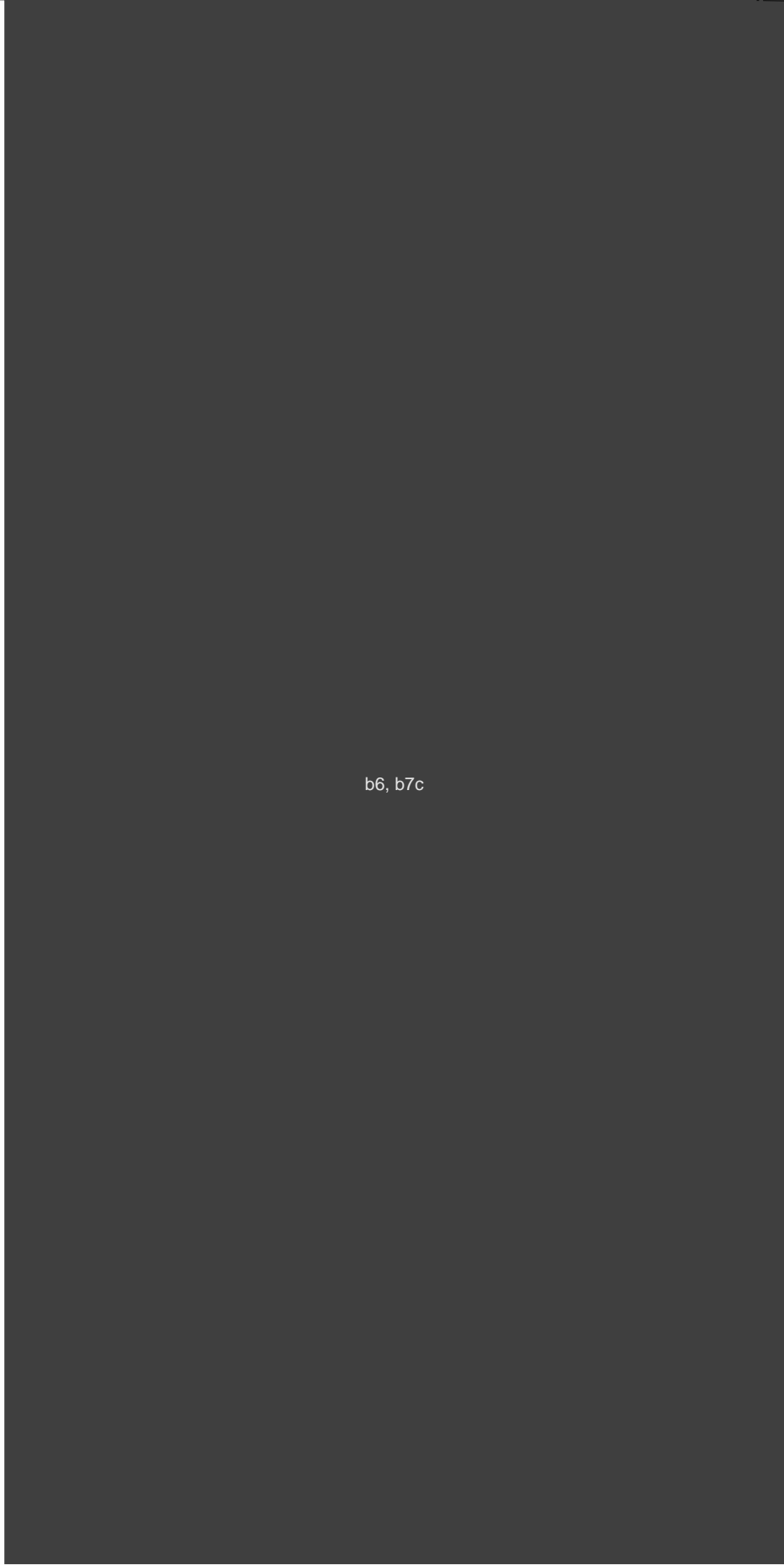
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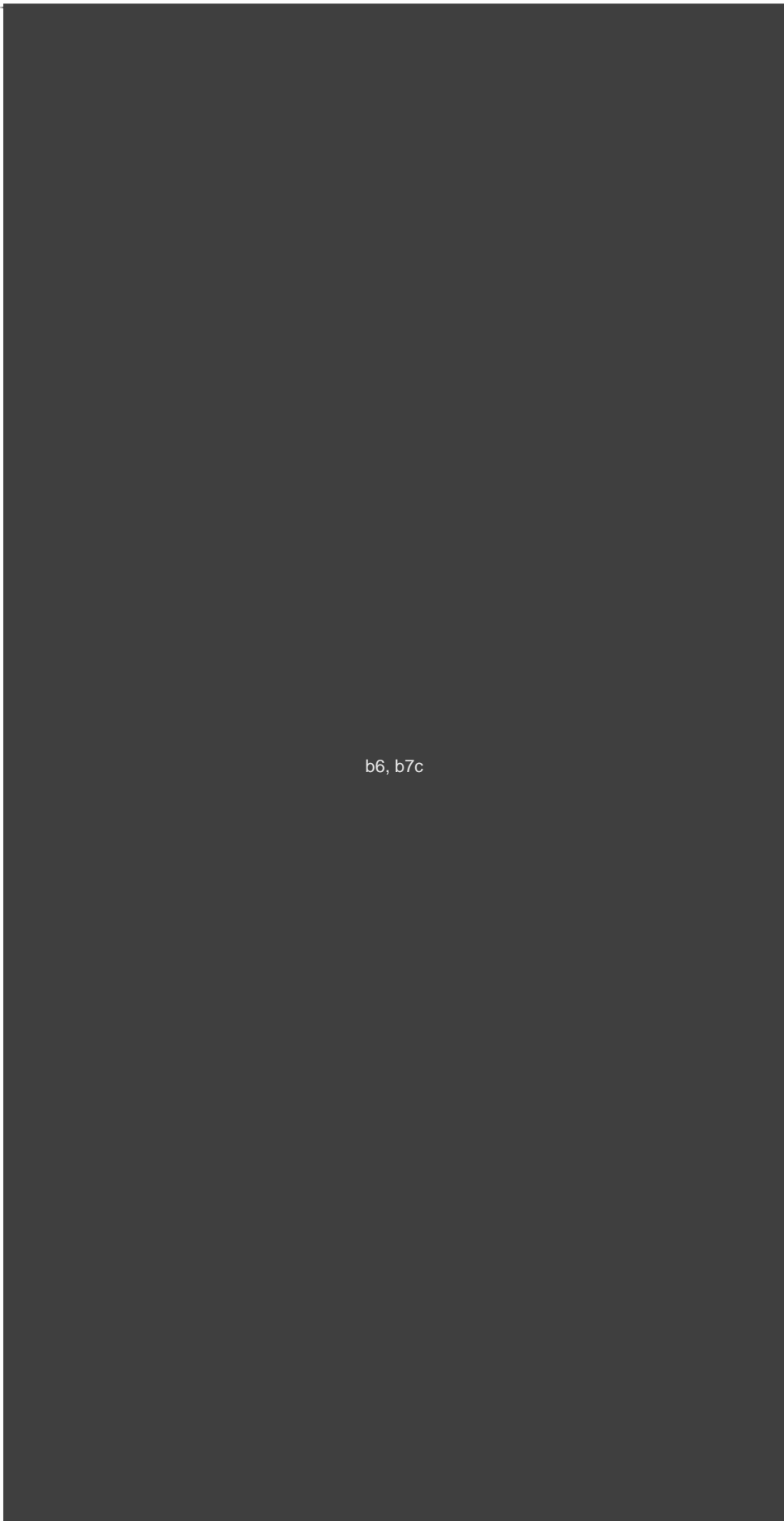
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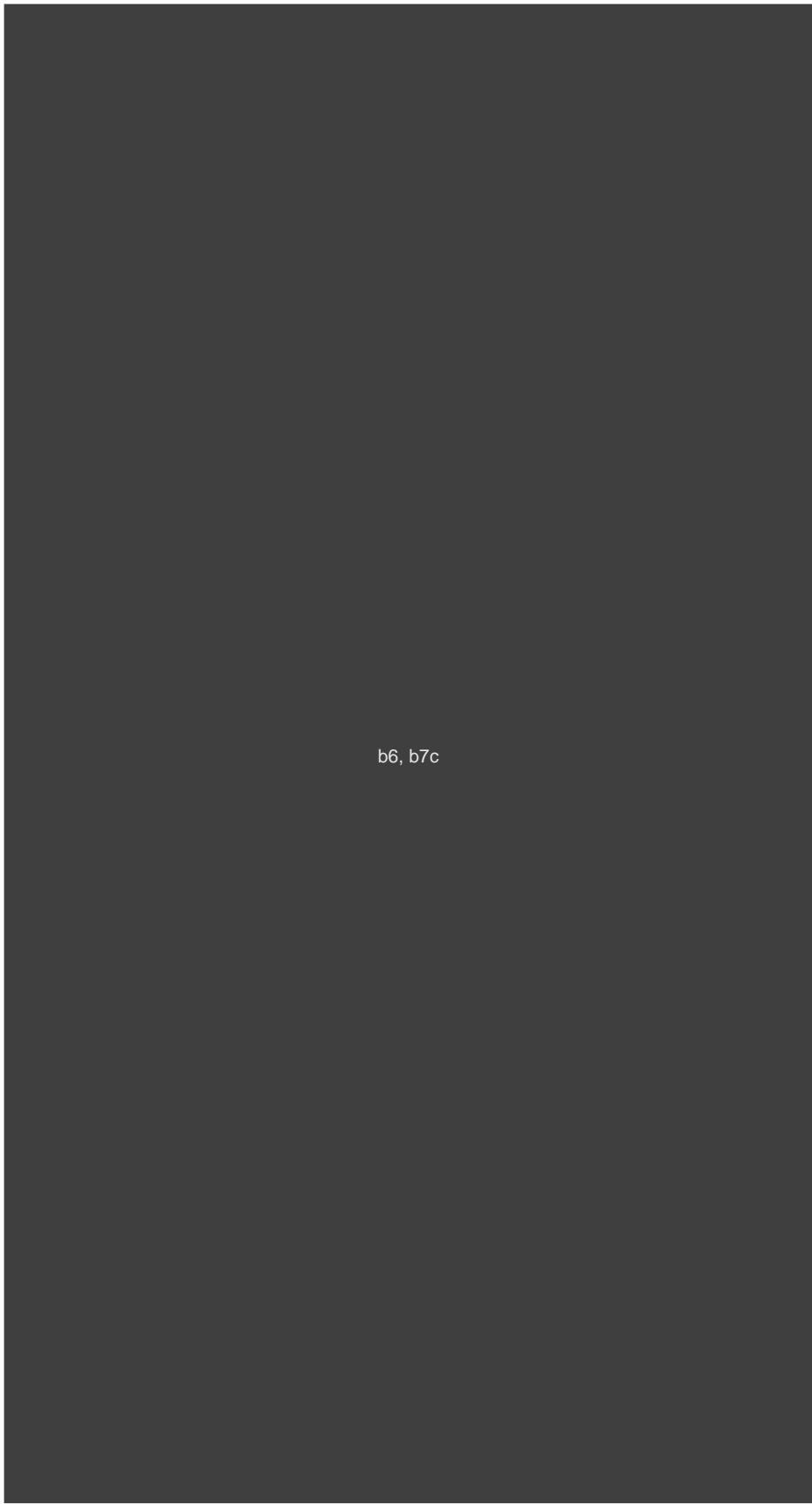
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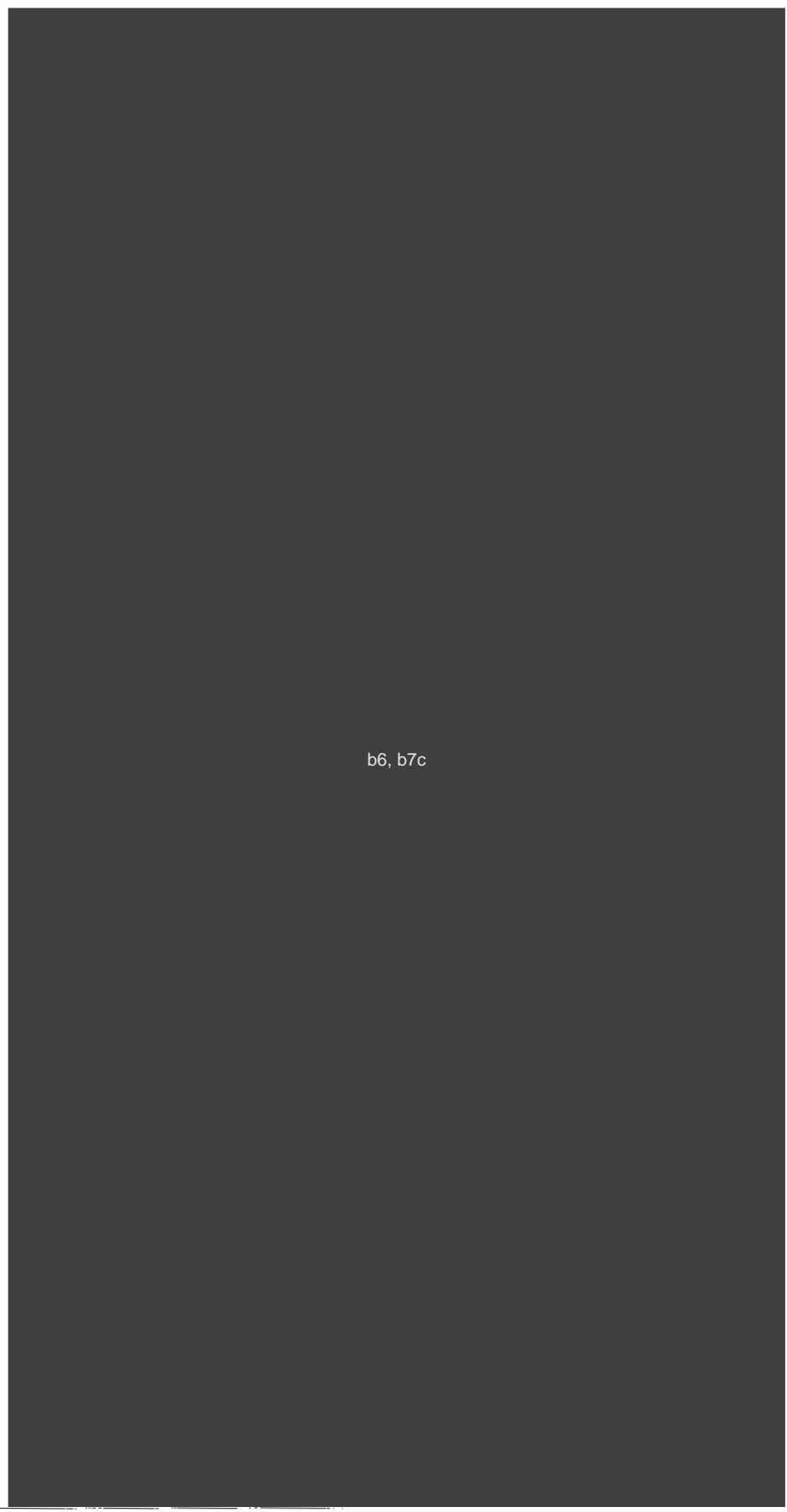
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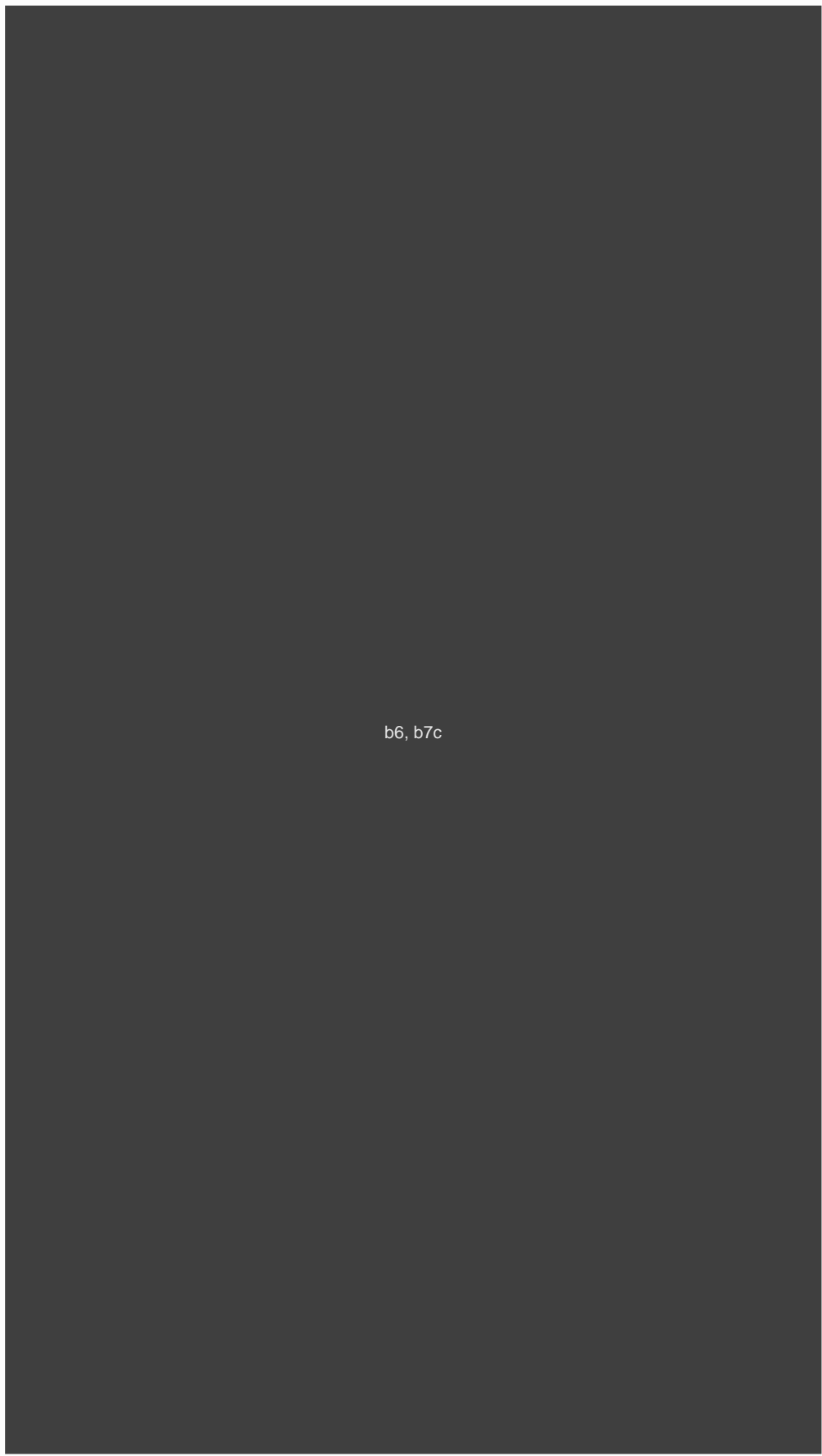
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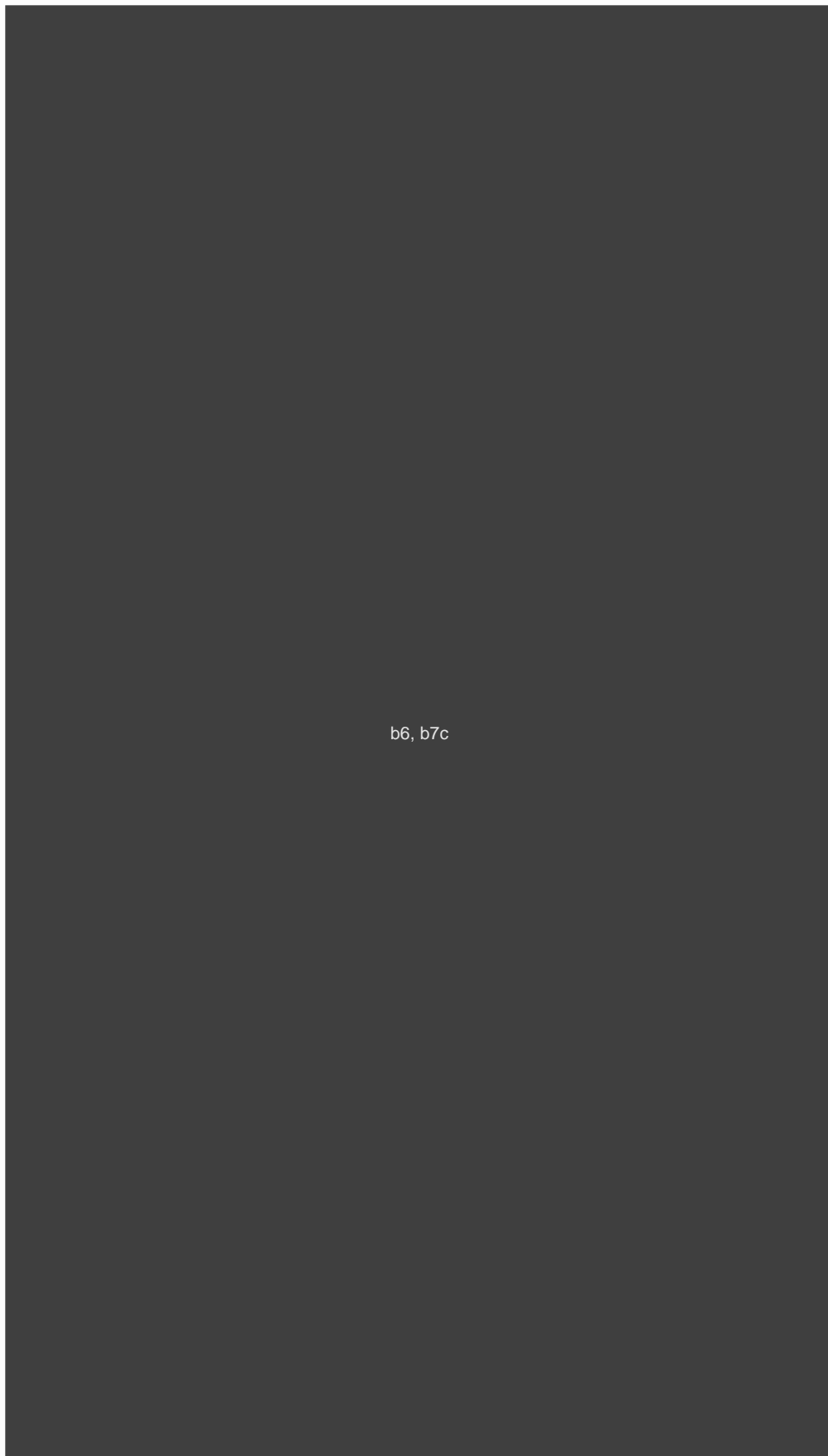
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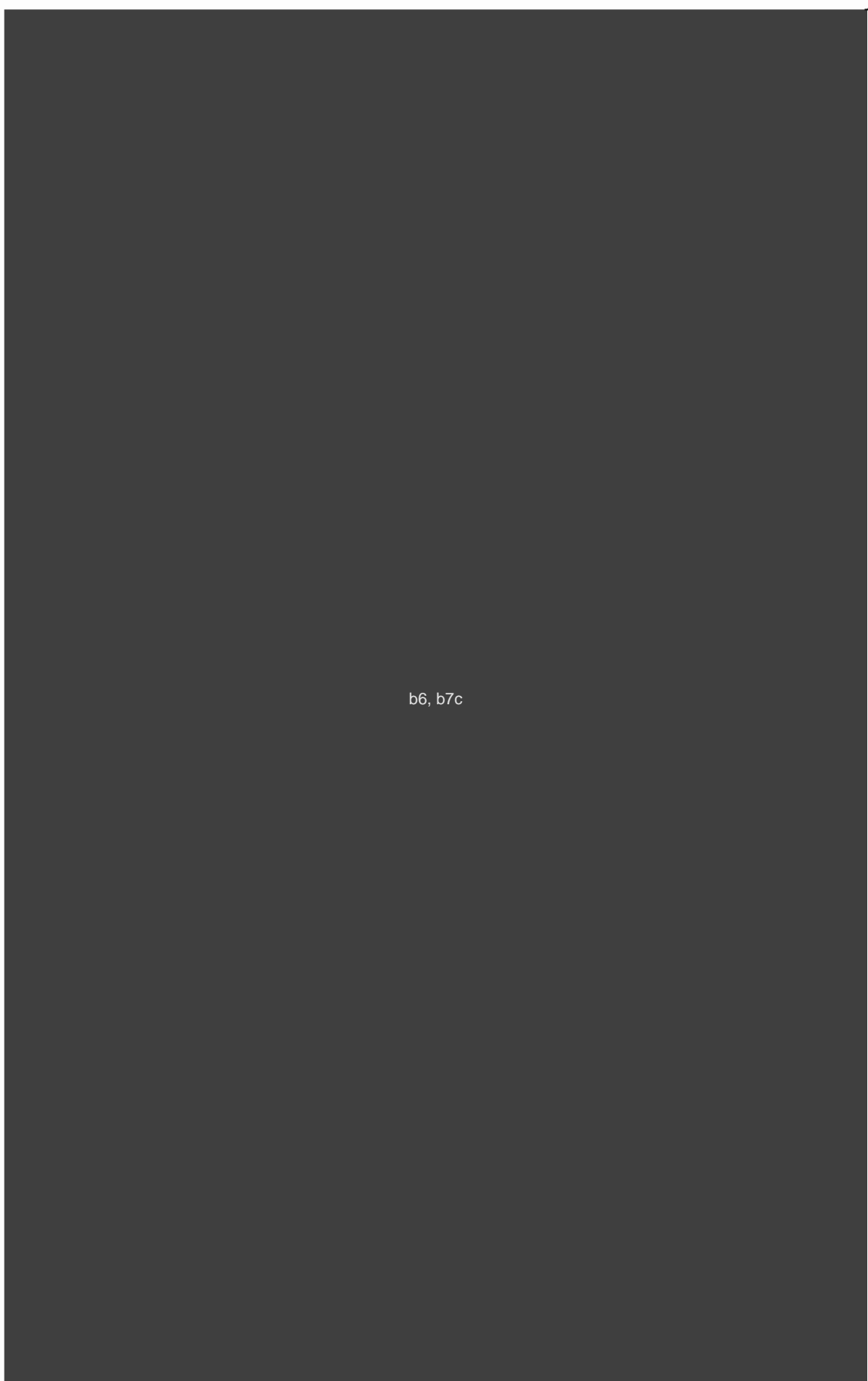
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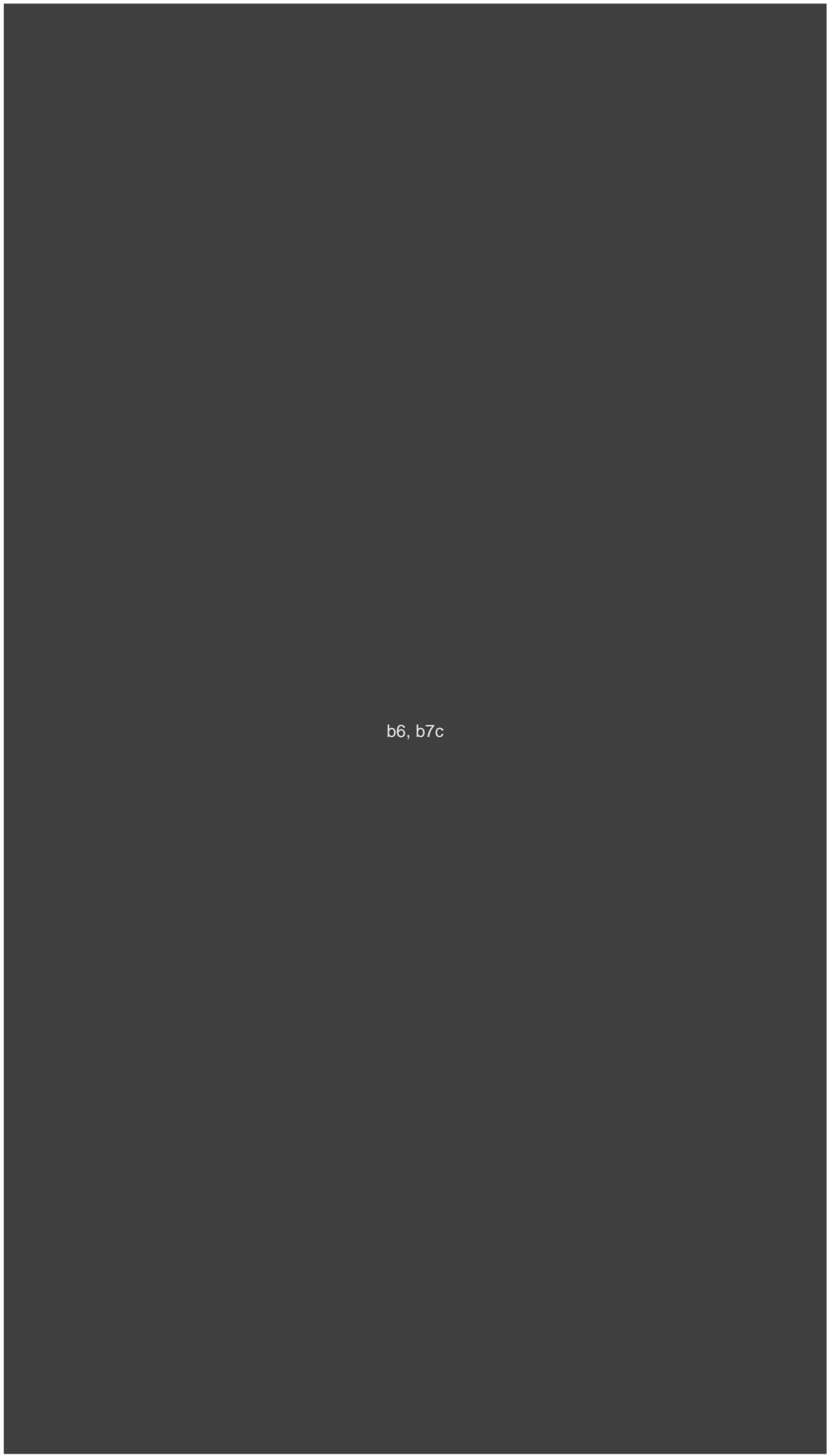
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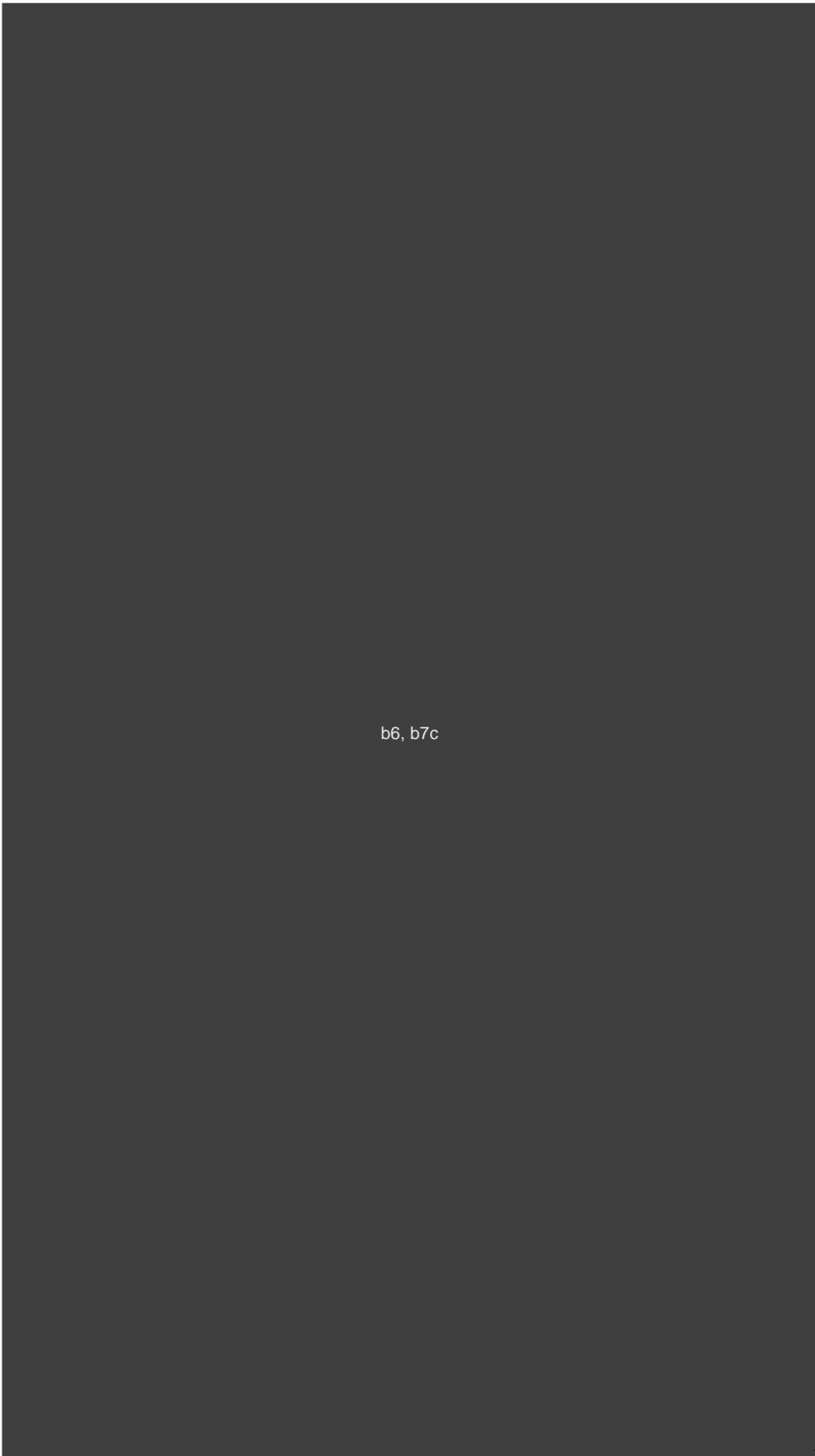
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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

b6, b7c

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et al,)

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Plaintiffs,)

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v.)

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U. S. DEPT. OF HOMELAND SECURITY,)

et al,)

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Defendants.)

**CERTIFICATE OF
COMPLIANCE**

The undersigned attorney for the United States certifies this memorandum complies with the type-volume limitation of D. Minn. LR 7.1(c) and the type size limitation of D. Minn. LR 7.1(e). The memorandum has 3607 words of type, font size 13. The memorandum was prepared using WordPerfect X3, which includes all text, including headings, footnotes and quotations in the word count.

Dated: June 30, 2008

b6, b7c

Acting United States Attorney

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Assistant U.S. Attorney

Attorney I.D. No. b6, b7c

600 U.S. Courthouse

300 S. Fourth Street

Minneapolis, MN 55415

(612) 664 b6, b7c

Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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et al,

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Plaintiffs,

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v.

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**MEMORANDUM IN
SUPPORT OF MOTION
FOR MORE DEFINITE
STATEMENT AND REPLY**

U. S. DEPT. OF HOMELAND SECURITY,
et al,

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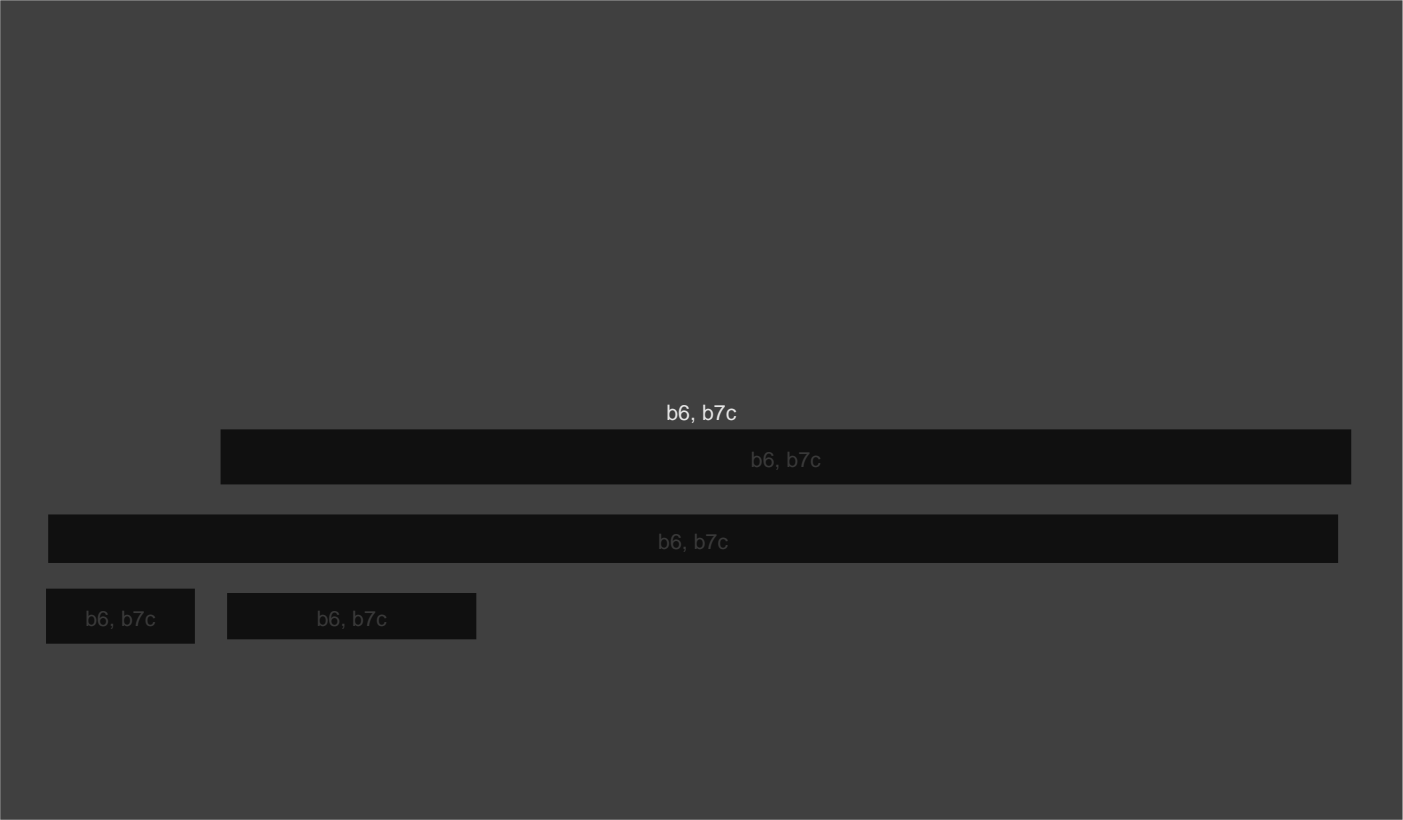
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Defendants.

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The complaint claims violations of the Fourth Amendment right to be free from unreasonable searches and seizures, Fifth Amendment rights against self incrimination, equal protection and right to counsel and Sixth Amendment right to counsel. Although all



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Acting United States Attorney

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Assistant U.S. Attorney

Attorney ID Number 206635

600 U.S. Courthouse

300 S. Fourth Street

Minneapolis, MN 55415

(612) 664-b6, b7c

b6, b7c

Attorneys for Federal Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. [REDACTED] b6, b7c

[REDACTED] b6, b7c et al,)
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Plaintiffs,)
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v.)
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U. S. DEPT. OF HOMELAND SECURITY,)
et al,)
)
Defendants.)

**MOTION FOR
FOR MORE DEFINITE
STATEMENT AND REPLY**



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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

[REDACTED] b6, b7c

et al.,)

CASE NO. [REDACTED] b6, b7c

Plaintiffs,)

**MEMORANDUM OF PLAINTIFFS IN
OPPOSITION TO MOTION FOR
MORE DEFINITE STATEMENT AND
REPLY**

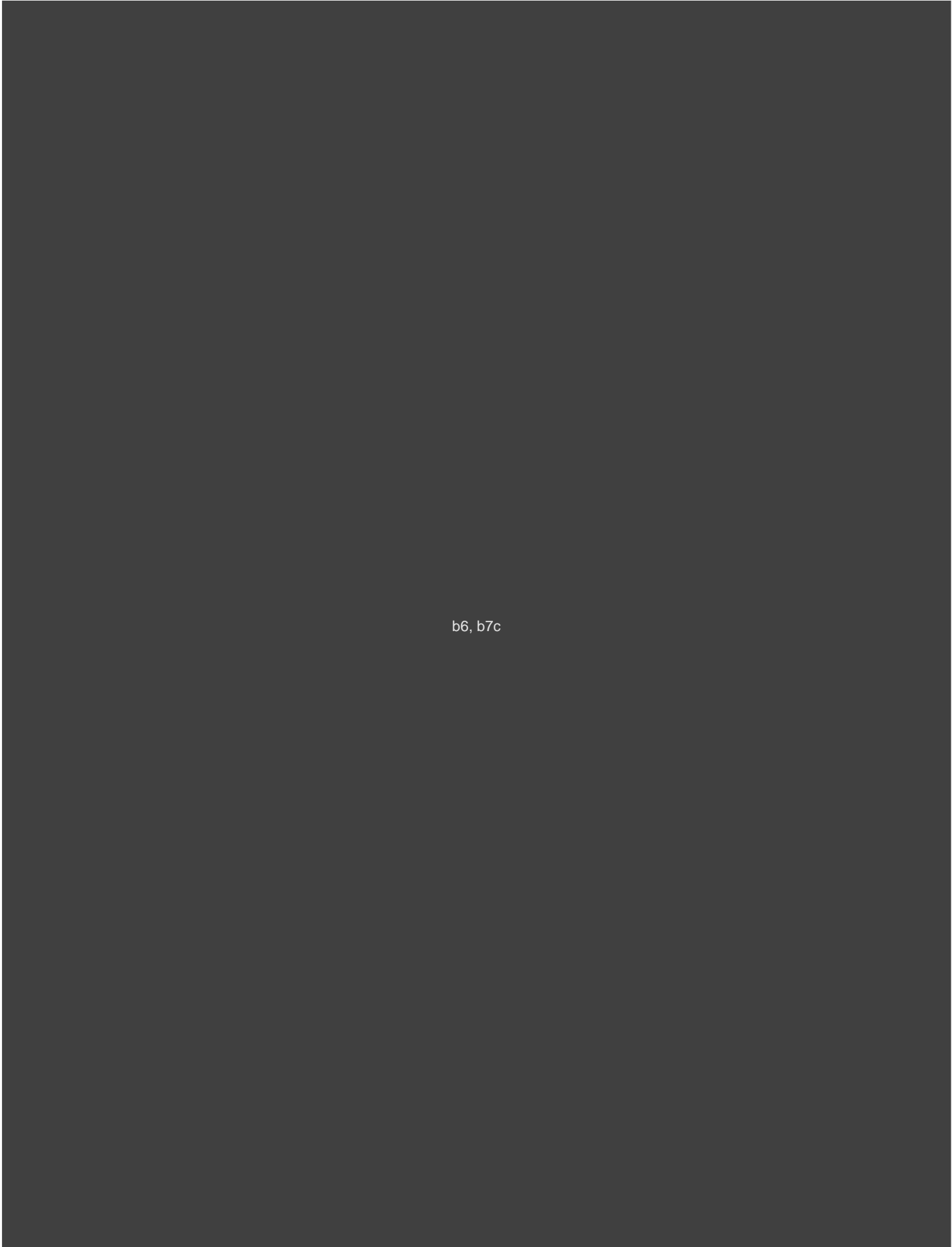
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SECURITY, *et al.*,)

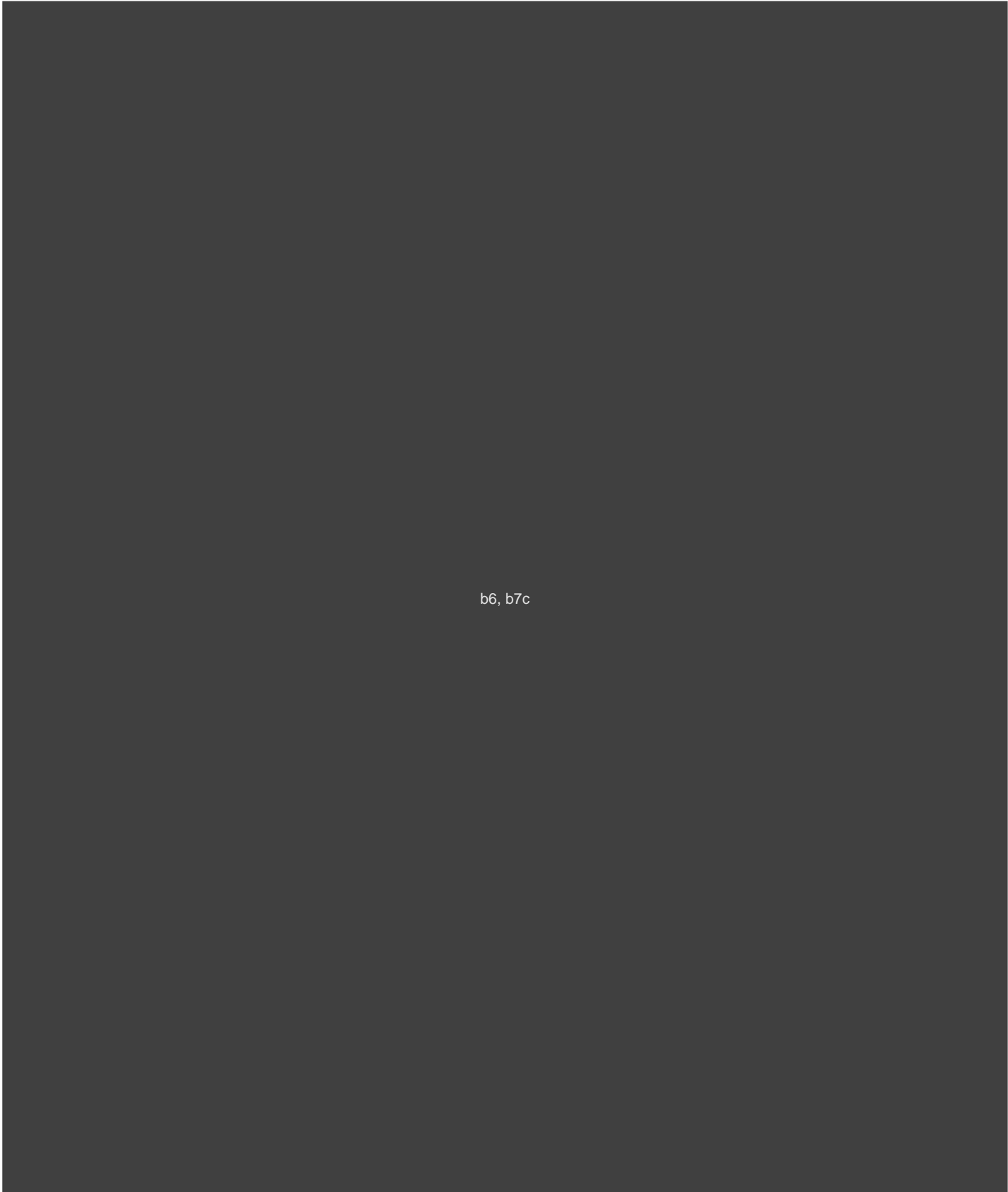
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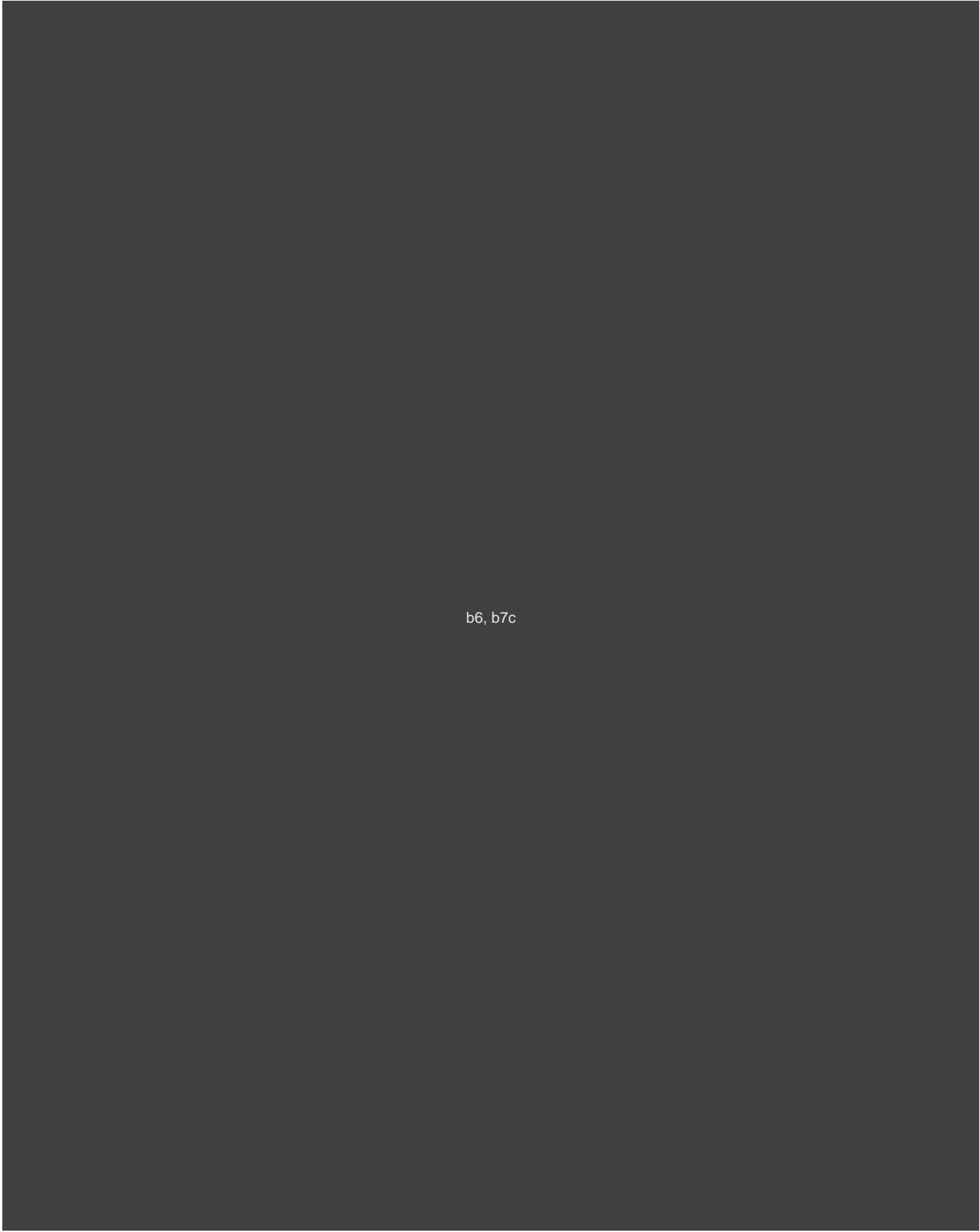
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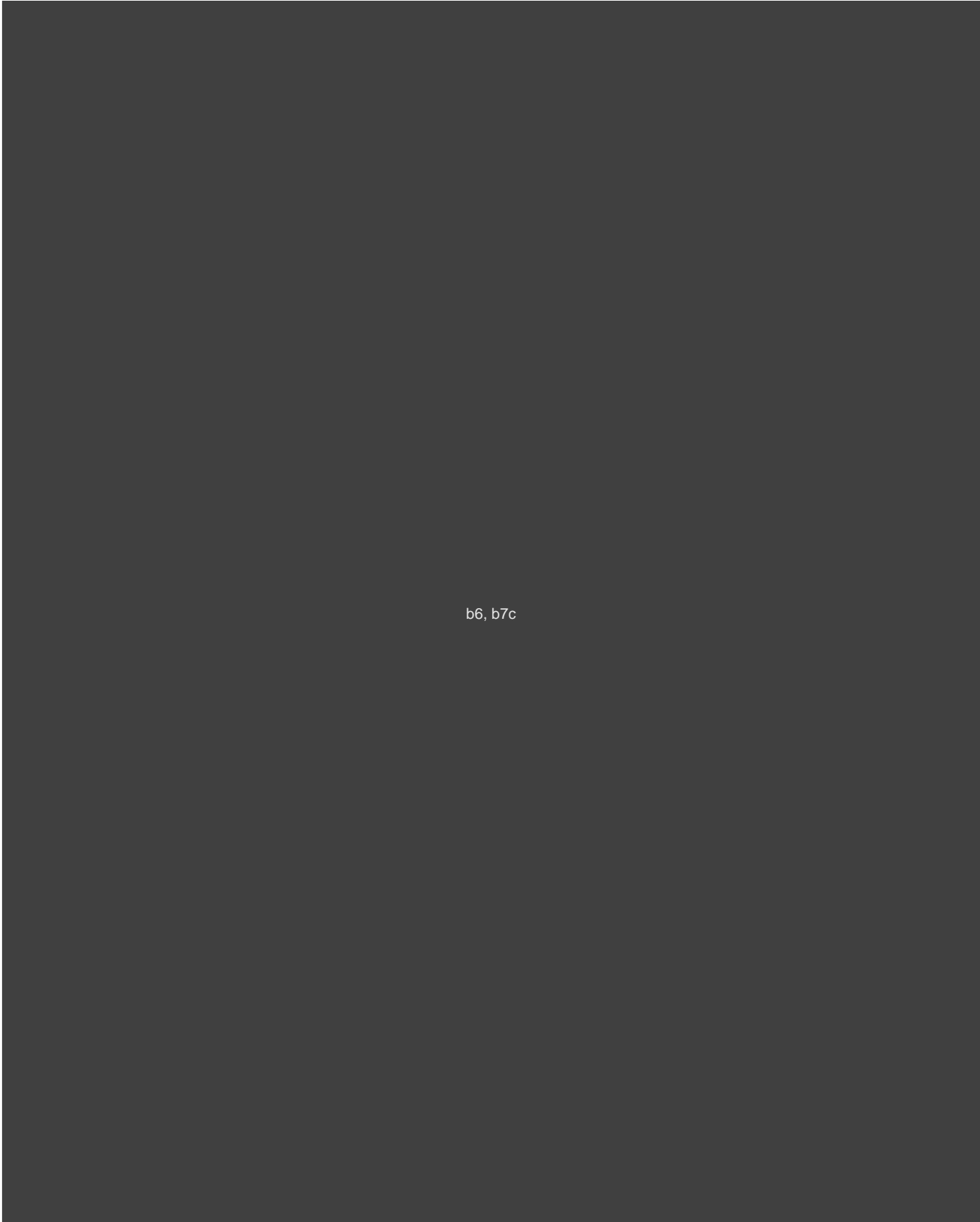
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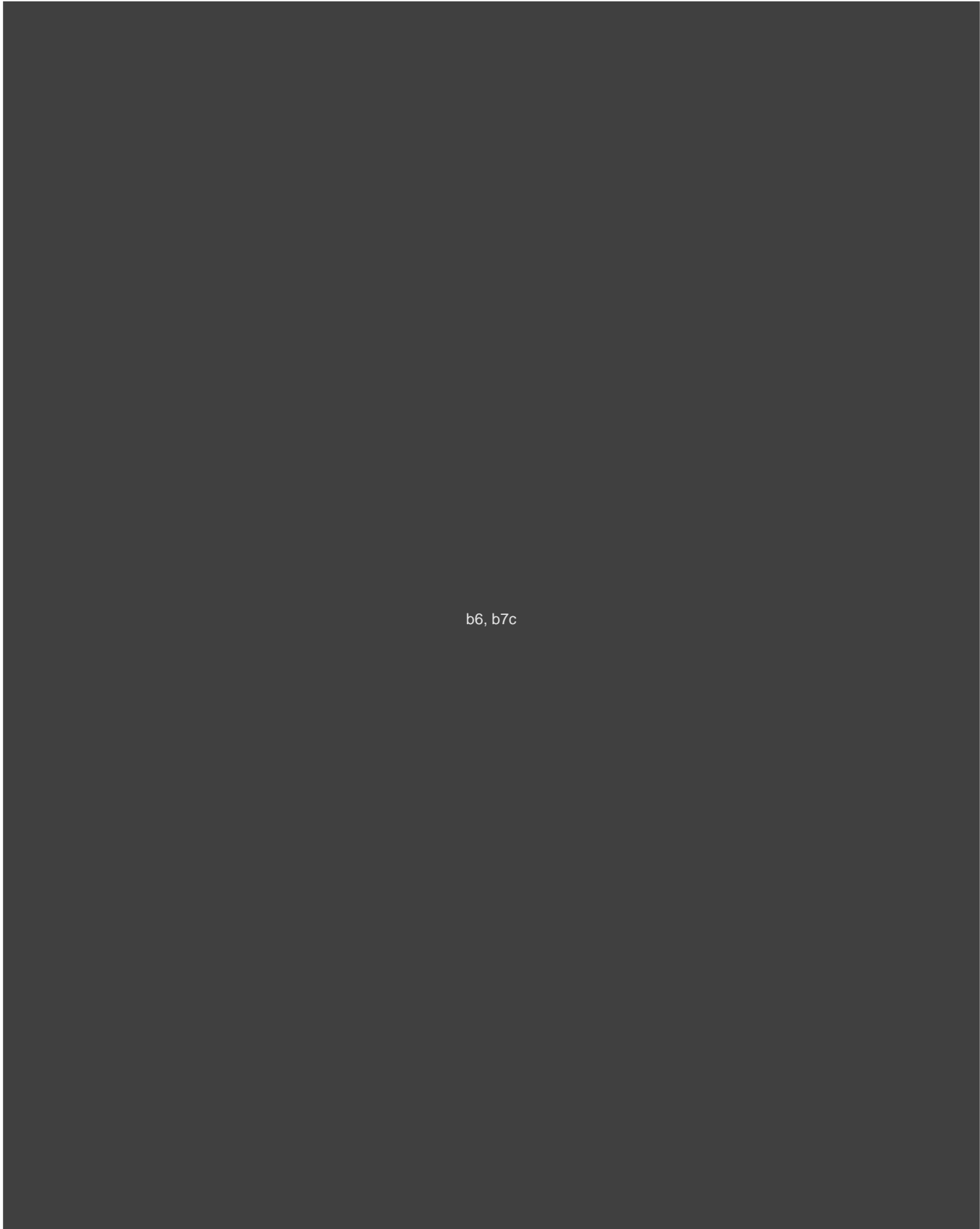
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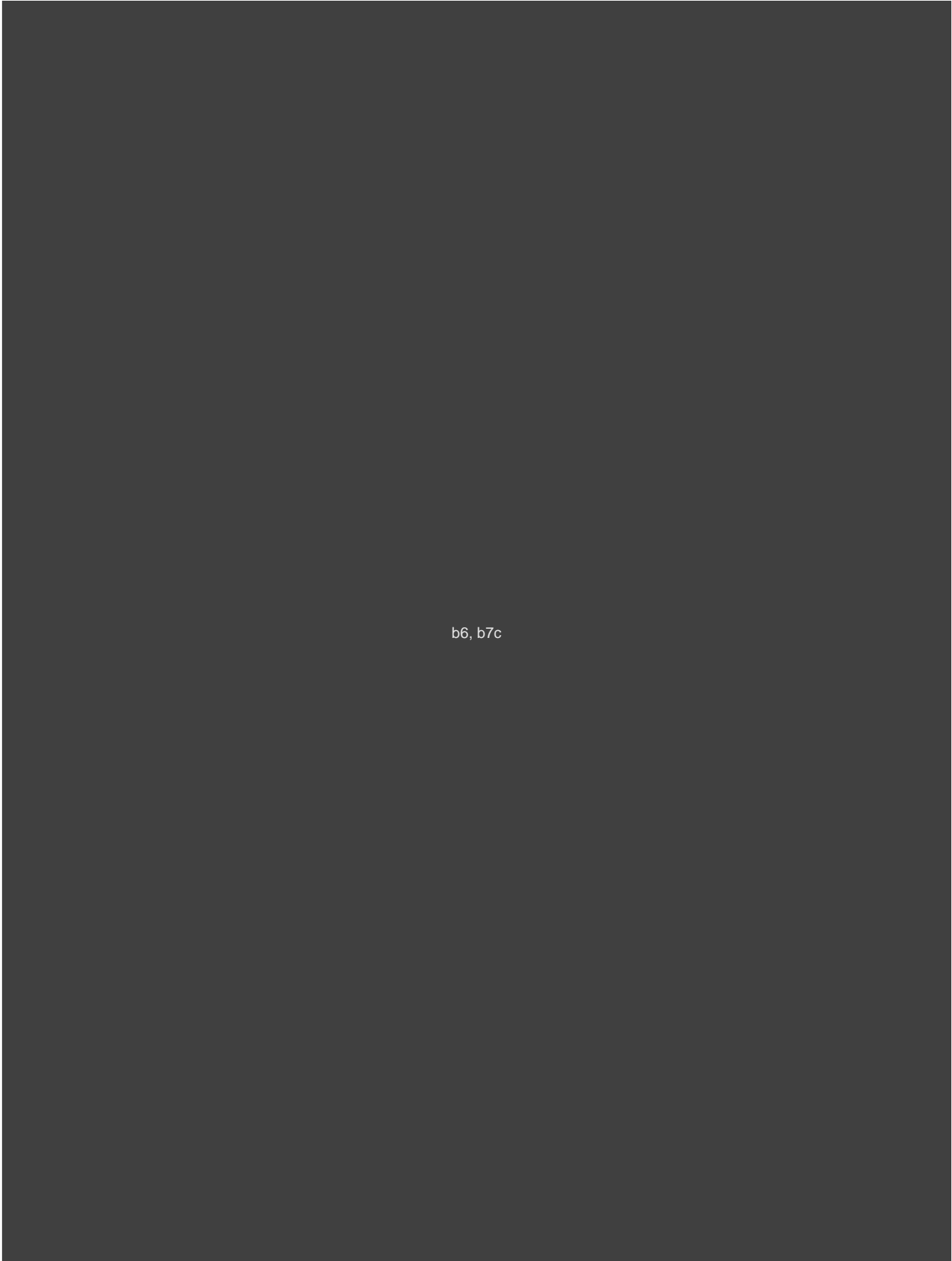
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Dated: July 7, 2008

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By:

[Redacted]

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[Redacted]

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500 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: 612-632- [Redacted]
Facsimile: 612-632-4335

b6, b7c

Attorney for Plaintiffs

GP:2400723 v1

February 25, 2010

Mr. [REDACTED] b6, b7c
Attorney at Law
Ave Maria Legal Services, LLC
5130 Manner Road S.E.
Smyrna, Georgia 30080

Dear Mr. [REDACTED] b6, b7c

This correspondence will respond to your letter of February 12, 2010, requesting clarification on whether individuals being processed into jail custody and screened pursuant to the Section 287(g) program are advised of their Miranda right. The answer is that the provisions of *Miranda v. Arizona*, 384 U.S. 436 are not applicable to an intake process since the questions asked are for the legitimate purpose of determining identity, basic demographic information, medical needs etc., and are not related to a criminal offense.

The intake and Section 287(g) screening are bifurcated processes. During the Intake process, questions are asked related to basic demographics. As part of that process, a determination is made as to whether the individual is a foreign national. Pursuant to the provisions of the Vienna Convention, certain protocols and notifications are required whenever a foreign national is incarcerated. If an individual is determined to be a foreign national, they are diverted through a separate Section 287(g) screening process that is supervised by Immigrations and Customs Enforcement (ICE) pursuant to their protocols. Any questions you have regarding the applicability of Miranda to immigration screening should be directed to ICE.

I hope that this adequately responds to your concerns.

Respectfully,

Col. [REDACTED] b6, b7c
Administrative Services Division

cc: [REDACTED] b6, b7c
Director Felicia Skinner, ICE
Asst. Director [REDACTED] b6, b7c ICE

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Georgia 30080 · (678) 368-8041 b6, b7c

fax: (678) 668-8041 ·

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February 12, 2010

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Cobb County Sheriff's Office
185 Roswell Street
Marietta, Georgia 30090

Felicia S. Skinner
Field Office Director
180 Spring Street, SW
Atlanta, Georgia 30303

b6, b7c

Assistant Field Office Director
180 Spring Street, SW
Atlanta, Georgia 30303

Re: 287(g) Procedures

Dear Colonel **b6, b7c** Director Skinner, and Assistant Director Orton:

In my capacity as an attorney, I have represented a number of persons who, incident to their detention in the Cobb County Adult Detention Center, have had immigration removal proceedings initiated against them pursuant to the INA 287(g) Agreement currently in place between Immigration and Customs Enforcement ("ICE"), Department of Homeland Security ("DHS") and the Cobb County Sheriff's Office ("CCSO"). I write to seek some clarification as to what rights are afforded a person at the initial interview with, and initiation of removal proceedings by, participating CCSO personnel.

My question is specific to persons arrested and brought to the Cobb County jail in connection with misdemeanor charges alone and where the person arrested had no prior criminal history. Specifically, before a person is interviewed by CCSO personnel pursuant to the 287(g) agreement and in connection with that person's immigration status and initiation of removal proceedings, is the person advised of that person's "Miranda rights," that is, the right to remain silent, to have an attorney present at questioning, that any statements made can be used in a subsequent proceeding?

I understand that the initiation of removal proceedings against a person determined or reasonably believed to be present in the United States without authorization has traditionally been a strictly civil matter wherein Miranda rights do not pertain. However, given the admixture of a

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Georgia 30080 · (678) 368-**b6, b7c**

fax: (678) 668-8041 ·



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criminal and civil process incident to a 287(g) agreement, I believe that the individual rights—and limits on government—protected and guaranteed by the 4th, 5th, 6th, and 14th Amendments to the U.S. Constitution fully apply throughout the seamless processing of persons under the auspices of the 287(g) agreement.

Please confirm for me that when persons are interviewed and removal proceedings initiated against a person in Cobb County jail pursuant to the 287(g) program, that person's rights under 4th, 5th, 6th, and 14th Amendments to the U.S. Constitution and rights as recognized by the U.S. Supreme Court in Miranda v. Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966) are observed and given full effect.

Thank you in advance for your consideration of this most important question. I very much look forward to your response.

Sincerely,

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Ave Maria Legal Services, LLC
5130 Maner Road SE · Smyrna,
Georgia 30080 · (678) 368-6646 ·
fax: (678) 668-8041 ·
emedder@ave-maria-law.com

Ave Maria Legal Services, LLC

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AILA-ICE Liaison Agenda May 30, 2008

A. Prosecutorial Discretion

In her memo of November 7, 2007, Assistant Secretary Myers affirmed the November 17, 2000, prosecutorial discretion memo from Doris Meissner, then Commissioner of the Immigration and Naturalization Service (INS). Commissioner Meissner defined the “favorable exercise of prosecutorial discretion” to include decisions such as not issuing an Order to Show Cause (now replaced by the Notice to Appear), not detaining an alien placed in proceedings (where discretion remains despite mandatory detention requirements), and approving deferred action. The Meissner memo encourages consideration of many factors in deciding to exercise prosecutorial discretion. AILA agrees with the sound principles discussed in the Meissner memo and affirmed by Assistant Secretary Myers. In keeping with the Meissner memo and the subsequent memo in 2005 from William Howard on the exercise of prosecutorial discretion to join a motion to dismiss adjustment cases to allow for USCIS adjudication, AILA urges continued commitment to the principles of prosecutorial discretion.

1. There are individuals who have final orders of removal, who are nonetheless eligible for relief to remain in the United States. Having them proceed on their applications to final adjudication often will save the expense of detention and encourage people to come forward in an attempt to correct their status. The following scenarios are of concern to members around the country and we would appreciate ICE’s views on the following:

a. If an arriving alien has a final order of removal, and has filed an I-130/I-485 as an immediate relative and is eligible to adjust in proceedings before the USCIS, what are the factors ICE will consider in determining whether to take the person into custody or to allow the adjudication to go forward, since a favorable adjudication would result in lawful permanent resident status?

DRO Response:

b. What if the person is not eligible for adjustment but has an I-130 filed? What factors are taken into account in deciding whether the person should be detained?

DRO Response:

2. Many individuals with final orders who are married to United States citizens are eligible to file joint motions to reopen based on their marriages. Under the BIA holding in *Matter of Velarde*, 23 I&N Dec. 253 (BIA 2002), a joint motion to reopen is appropriate if there is evidence of a pending I-130, as long as evidence of the bona fides are demonstrated. Not all ICE counsel will consent to a joint motion to reopen where the I-130 remains pending. Please provide guidance to the field that affirms that the

favorable exercise of discretion is warranted and that joining in a motion to reopen is warranted where the *Velarde* factors are present.

3. A continuing concern is the practice of ICE in many jurisdictions to detain aliens subject to outstanding orders who have appeared for interviews by USCIS in spousal I-130 visa petition proceedings. Detention can result in postponement of the I-130 proceedings. For these aliens, approval of the I-130 will form the basis for relief and the basis for a joint motion to reopen proceedings.

- a. AILA requests guidance to the field regarding detention emphasizing that it may be more appropriate to have supervised release rather than detention and removal in cases where a joint motion is poised to be filed or has been filed but is awaiting an I-130 approval.

DRO Response:

- b. AILA requests that ICE consult with USCIS to determine if the I-130 petitioner and beneficiary have established *prima facie* eligibility for the classification and benefit, and to forego detention and commencement of removal proceedings during the time the USCIS is engaged in adjudication of the petition.

DRO Response:

4. When an arriving alien in proceedings is eligible to adjust status under the regulations, should ICE terminate proceedings or request that the Immigration Court administratively close proceedings in order to let USCIS adjudicate the adjustment application?

OPLA Response:

5. If an undocumented individual in detention has an I-130 filed by a USC spouse, will ICE bring the person to the I-130 interview?

DRO Response:

6. When an I-130 has been filed for an undocumented individual who is ineligible to adjust and will consular process, if an I-130 interview is scheduled, what factors will ICE consider in making a custody and release determination?

DRO Response:

7. What recourse is available to an alien who has requested a joint motion to reopen in an ICE jurisdiction where there appears to be an across-the-board policy not to agree to joint motions to reopen proceedings?

OPLA Response:

8. Three circuit courts have reversed the BIA's decision in *Matter of Perez-Vargas*, 23 I & N 829 (BIA 2005), where the BIA had found that an immigration judge has no

jurisdiction over an adjustment application where the applicant has ported under INA § 204(j). AILA requests that ICE establish a policy to terminate or administratively close proceedings in cases where “portability” under INA § 204(j) in order to let USCIS adjudicate the adjustment application.

OPLA Response:

9. AILA members report incidents of what appears to be very aggressive enforcement by ICE in instances of students who may have committed technical violations of status, for which subsequent requests for status determinations or applications for reinstatement would be appropriate and likely favorably considered. Reports include accounts of late-night arrests, and detention of students without bond, and involve students who are actually attending school, but have been dropped out of the system due to minor violations, such as not completing final exams due to an illness, thereby receiving incompletes, or a change of schools, where a new I-20 was not filed, or the student dropped a course and fell below a full course of study. We were all students, and we have dropped courses, transferred schools, etc. Understanding that foreigners attending school in the U.S. have to be more vigilant than your average U.S. student, these are minor violations and do not warrant detention. AILA suggests that there may be a better way to determine the severity of a student status violation that does not involve arrest and detention, and which also does not compromise public safety or national security, nor compromise the integrity of the student visa program.

DRO/SEVIS Response:

B. Bonds and Transfers

10. Please describe the factors should be considered in determining whether a detainee should be released or held without bond?

DRO Response:

11. Members have been told that if a bond determination is made by Investigations, Detention and Removal cannot review or change the decision. Is that statement accurate? There are instances when, as facts are presented or clarified, a bond is appropriate. We ask that ICE establish a mechanism at each local DRO office for bond review and reconsideration prior to a bond hearing before an Immigration Judge.

DRO Response:

12. What criteria other than bed space should be used to decide when and where a detainee is transferred? If the person is eligible for relief, it should be preferable that he or she be kept within the jurisdiction. Would you agree that transferring detainees to a remote location, far away from legal representation, prejudices their ability to obtain relief from removal and should, as a matter of fundamental fairness, be discouraged?

DRO Response:

13. There is still the troubling problem of individuals being transferred while G-28s are on file and their attorneys are not notified. We have been told that there are

procedures in place to notify attorneys when their clients are being moved, however, that has not been the experience. What procedures are in places to notify attorneys of transfers? AILA again requests that attorneys be notified before the transfer takes place.

DRO Response:

14. The transfers also make representing individuals exceptionally difficult, particularly when an immigration judge refuses to allow telephonic bond or Master calendar hearings, and many attorneys are now refusing to take detained cases. We would urge that ICE work to keep clients closer to the jurisdiction in which they live when there is an attorney on record. Moreover, we urge ICE to adopt a policy not to transfer an individual for whom a bond hearing has been scheduled until the hearing has taken place and the Immigration Judge has made a bond determination.

DRO Response:

C. Filing of the Notice to Appear (NTA) With the Immigration Court:

15. There is still a significant delay in filing NTAs with EOIR. The issue is especially disconcerting when a non-citizen may be eligible for bond and the delayed NTA filing prevents the individual from obtaining release from detention. Please explain the reason for delayed filing of NTAs. How is ICE addressing this concern?

DRO/OPLA Response:

D. ISAP

16. In many jurisdictions, rather than being used as a true alternative to detention, it appears to be implemented as an additional method of custody. We are extremely concerned that the program is being used punitively. What categories of non-citizens are being placed on the ISAP program? What criteria are the deportation officers instructed to use in evaluating whether to place someone on ISAP? Is there any process to be removed from ISAP if compliant with the terms for a certain period of time?

DRO Response:

E. Performance Based Detention Standards

17. What is the status of DHS' review of comments submitted by legal service providers and other NGOs on the detention standards? What will be the mechanism for further communication and follow-up for the proposed changes in the detention standards?

DRO/Policy Response:

F. Custody Review

18. What can attorneys do to have the 90 day post-removal order custody review take place promptly?

DRO Response:

H. F-1 OPT Rule

a. General

20. Please provide specific timeframes for the implementation of the temporary and long-term fixes to SEVIS necessary to implement the new OPT extension rules. Please explain the mechanics of a “data fix” as described by the SEVP guidance.

SEVIS Response:

b. Unemployment issues

21. The SEVP guidance states that time spent outside the U.S. not on approved company leave or at the request of an employer is accruing time towards the student’s 90/120 “unemployment” period and thus could result in a status violation in SEVIS. We are not aware of any agency precedent for considering anything done outside the U.S. as potentially violating “status.” There are many scenarios where a student may have a job offer waiting but cannot return to the U.S. for a variety of reasons, including visa issuance delays, etc. This interpretation does not seem to be contemplated by the regulation.

Is a college required to terminate a student who does not have an employer-populated field after 90 days?

SEVIS Response:

Are DSOs required to count days from issuance of EAD?

SEVIS Response:

Will any alert be sent from SEVIS?

SEVIS Response:

The unemployment rule will not affect any student whose OPT was approved before April 8 - Would it affect students who apply after April 8 for a STEM extension if they were approved for the original OPT before April 8?

SEVIS Response:

There are a number of legitimate situations in which an F-1 student has certain periods where he or she is not working during the OPT time. If students’ jobs do not start until August or September (for example, a student teaching at a school), is all time after approval of the F-1 P/T EAD and prior to the commencement of employment charged as “unemployed” time?

SEVIS Response:

c. OPT cap-gap extension

Are DSOs able to issue I-20s to students who qualify for the automatic OPT extension upon request so that the students can obtain documentation of their extended OPT status?

SEVP Response:

The SEVP places substantial responsibility on students to check with the DSOs to ensure that the information regarding the cap-gap extension in SEVIS is correct, stating that CLAIMS and SEVIS do not always interface correctly. The SEVP also identifies the punitive consequences of any apparent status lapses in SEVIS, without providing a mechanism to resolve inadvertent reporting errors or errors with the government databases and interfaces. Could ICE institute a problem resolution mechanism to ensure that errors in SEVIS can be remedied through a straightforward administrative process without jeopardizing the student's status?

SEVP Response:

If ICE conducts a worksite enforcement action against an employer who is employing an F-1 student who is the recipient of an automatic cap-gap extension, what would be deemed acceptable I-9 documentation during the extension period?

SEVP/OI Response:

22. It appears that students are allowed to change jobs during the 17-month STEM extension (as they must report change of employers to DSO), but how do they do this? What is the process that the student should follow to change employers under the STEM provisions?

SEVP Response:

23. The SEVP rules state that the F-1 student may not travel abroad while the OPT extension request is pending. The regulations are silent on this issue. DHS regulations and procedure have never barred an employee from traveling while an I-765 is pending. We respectfully request that ICE reconsider this new requirement as we believe it goes beyond the OPT regulation. This rule would effectively prohibit a student who files for the OPT extension between 90-120 days before OPT expiration, as recommended by the SEVP guidance, and has a valid F-1 visa and current EAD, from traveling abroad despite the fact that he or she is otherwise eligible. This would be a great detriment to an OPT holder who needs to travel internationally as part of his or her duties in the STEM position, and also prevent the OPT holder from traveling for personal reasons without any rational policy basis.

Policy/SEVP Response:

24. If ICE conducts a worksite enforcement action against an employer who is employing an F-1 student who is the recipient of a STEM OPT extension, what would be deemed acceptable I-9 documentation during the period between the time of the application for the I-765 and the receipt of the EAD card? What about for new or concurrent employers of F-1 students who already hold a STEM OPT card?

OI/SEVP Response:

25. a. AILA suggests extending the 17-month F-1 OPT work authorization period to U.S. university degrees outside of the STEM fields? While it is true that U.S. industry needs STEM graduates in order to maintain competitiveness for America's high technology sector, a great many foreign university graduates contribute to high technology companies in the U.S., even if they do not hold STEM degrees. For example,

- individuals with English degrees go on to work in technical writing;
- individuals with foreign language degrees (e.g., Chinese, Russian or Japanese), go on to work in software localization;
- MBA degree holders often go on to work in management information systems;
- Psychology degree holders go on to work in artificial intelligence or human factors.

Assuming that all F-1 OPT students are typically seeking sponsorship in H-1B classification, it stands to reason that they will find U.S. employers who have a need for their U.S. academic training. Put another way, while ICE has articulated a policy justification for limiting benefits of extended F-1 OPT to those with degrees in STEM fields, AILA suggests that America's high tech sector would be better served by a policy that allowed all U.S. university graduates the opportunity to extend their F-1 OPT period, without regard to major.

b. Let us assume the 17-month F-1 OPT extension must be limited to STEM-degree holders, to the exclusion of U.S. degree holders in the arts and humanities. To what degree is ICE willing to reconsider what constitutes a STEM degree? The October 2005 GAO report (GAO-06-114) cited by ICE in the F-1 OPT regulation defines STEM fields to include so-called "SBES" fields (Social, Behavioral, and Economic Sciences). However, the STEM list produced by ICE in its regulation was much more restrictive, excluding the SBES category. The SBES subset of STEM fields appears to be no less important to U.S. competitiveness. The National Science Foundation, which originated the STEM concept, has an entire Directorate devoted to the SBE Sciences, and treats those fields as a subset of STEM. (See, e.g., <http://www.nsf.gov/dir/index.jsp?org=SBE>). Moreover, the Office of Science and Technology Policy's February 2006 American Competitiveness Initiative Report also treats behavioral and social sciences as a subset of STEM fields (see page 20). In light of GAO, NSF, and OSTP pronouncements, AILA recommends that ICE consider Social, Behavioral, and Economic (SBE) sciences as falling within the STEM concept for the purpose of the F-1 OPT extension regulations.

Policy/SEVP Response:

c. AILA recommends that ICE also consider majors in the clinical health sciences and allied health science fields as falling within STEM. Many foreign nationals earning U.S. degrees in these fields go on to work not in clinical practice, but instead, work in the U.S. biotechnology, pharmaceutical, or medical device industries, all of which are sectors in which the U.S. is striving to maintain its global competitive advantage.

Policy/SEVP Response:

26. Are DSOs able to issue I-20s to students who qualify for the automatic OPT extension upon request so that the students can obtain documentation of their extended OPT status?

SEVP Response:

K. Employer Sanctions and I-9 Compliance

AILA is resubmitting a number of I-9 and IRCA-related questions from the previous liaison agenda. We respectfully request that ICE provide us with responses as many of these questions relate to the employer's obligations with respect to ICE worksite enforcement. It is important for our members to be able to counsel our corporate clients regarding ICE's position on these important issues so that our clients can best comply with the laws and regulations that ICE enforces.

31. Good Faith Defense and Compliance -- In 1996 Congress amended the INA to provide a good faith defense, despite a technical or procedural failure, if there was a good faith attempt to comply with the I-9 verification rules. See INA § 274A(b)(6), as added by Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IRAIRA), Pub. L. No. 104-208, § 411, 110 Stat. 3009.

The newly revised Handbook for Employers (see below) does not explain what “technical or procedural” I-9 failures are; nor does it explain “[A] good faith attempt to comply”.

The public has relied on the March 6, 1997, Legacy INS Interim Guidelines (attached), for guidance on these compliance issues. May the public continue to rely on the Interim Guidelines for compliance guidance until a final rule is published?

“e. Good faith defense

If the employer can show that he or she has in good faith complied with the Form I-9 requirements, then the employer has established a “good faith” defense with respect to a charge of knowingly hiring an unauthorized alien, unless the government can show that the employer had actual knowledge of the unauthorized status of the employee.

A good faith attempt to comply with the paperwork requirements of Section 274A(b) of the Act may be adequate notwithstanding a technical or procedural failure to comply, unless the employer has failed to correct the violation within 10 days after notice from DHS, or the employer is engaging in a pattern or practice of violations. “

Handbook for Employers, Form M-274, Rev. 11/01/2007) N. at page 17

OI/OPLA Response:

32. The 240 Day Rule -- Aliens in certain nonimmigrant categories are authorized to continue working for the same employer for a period not to exceed 240 days after the expiration of the alien's current period of stay, as long as a timely filed extension of stay application is pending with the USCIS. 8 C.F.R. § 274a.12(b)(20). Under this rule employment must cease upon notice of a denial decision.

For I-9 re-verification purposes, the employee in this case is employment authorized but the I-9 form contains no provision for this form of authorization. Which employer re-verification procedures would suffice?

OI/OPLA Response:

33. H-1B Portability -- Section 105 of the American Competitiveness in the 21st Century Act of 2000 (AC21), allows employers to hire employees who were previously issued an H-1B visa or change of status, who subsequent to a lawful admission have not been employed without authorization by filing a "non-frivolous" H-1B transfer petition with the CIS before the expiration of the alien's previous authorized stay. INA §214(n), 8 USC §1184(n). The employment authorization continues until the petition is adjudicated and must cease if the petition is denied. Please advise whether the CIS-issued receipt notice qualifies as a List C employment authorization document documents for I-9 verification or re-verification purposes.

OI/OPLA Response:

L. E-Verify Memorandum of Understanding and Worksite Enforcement

In order to enroll in E-Verify, employers sign a Memorandum of Understanding (MOU), which recites the responsibilities of the parties. The language of the MOU and the IIRIRA states "no person or entity participating in the Basic Pilot shall be civilly or criminally liable under any law for any action taken in good faith on information provided through the confirmation system." P.L. 104-208, 2 Subdivision D, §403(b)(3)(d)(1996); MOU, Article II at C(6)(5).

34. Based on the MOU, will E-Verify member employers be notified prior to any worksite enforcement action where the employer has acted in good faith on E-Verify provided information?

OI/OPLA Response:

35. Is it ICE's understanding that an affidavit in support of a search warrant of the business premises of an E-Verify member employer would need to address the issue as to E-Verify/ IIRAIRA good faith informational reliance by the subject employer prior to a showing of probable cause?

OI/OPLA Response:

M. E-Verify

36. Due to the importance of maintaining records of the SSA and DHS verification, will DHS request SSA to issue confirmation numbers or other methods of establishing the employer's attempt to verify the resolution of the discrepancy with SSA? Will DHS consider establishing a mechanism to record employers' attempts to verify resolution of a DHS notice?

OI/OPLA Response:

N. Detention of U.S. Citizens

38. What process does ICE utilize to ascertain if an individual is a U.S. citizen before or after detaining a person? If someone claims to be a U.S. citizen, what steps are taken to evaluate that claim?

DRO Response:

AILA Talking Points for Barry O'Mellin

- Generally ICE's position is that there is no right to counsel in primary, secondary and deferred inspections.
- Right to counsel attaches only for/during removal proceedings.
- Pursuant to INA § 239, once removal proceedings have been initiated i.e. NTA has been served Respondents are granted 10 days as an opportunity to obtain competent counsel.
- During the 8 CFR 287.3 processing a represented alien is entitled to have his or her attorney present. If the Respondent does not have counsel, s/he is to be informed of the right to counsel after her/his arrest when a decision is made to initiate removal proceedings.

What to watch out for:-

- If asked specifically about a) the interplay between 8 CFR 292.5 and 287.3(a) particularly as it relates to the "arrest" of individuals during worksite enforcement operations, b) at what point in the processing attorney access should be granted,

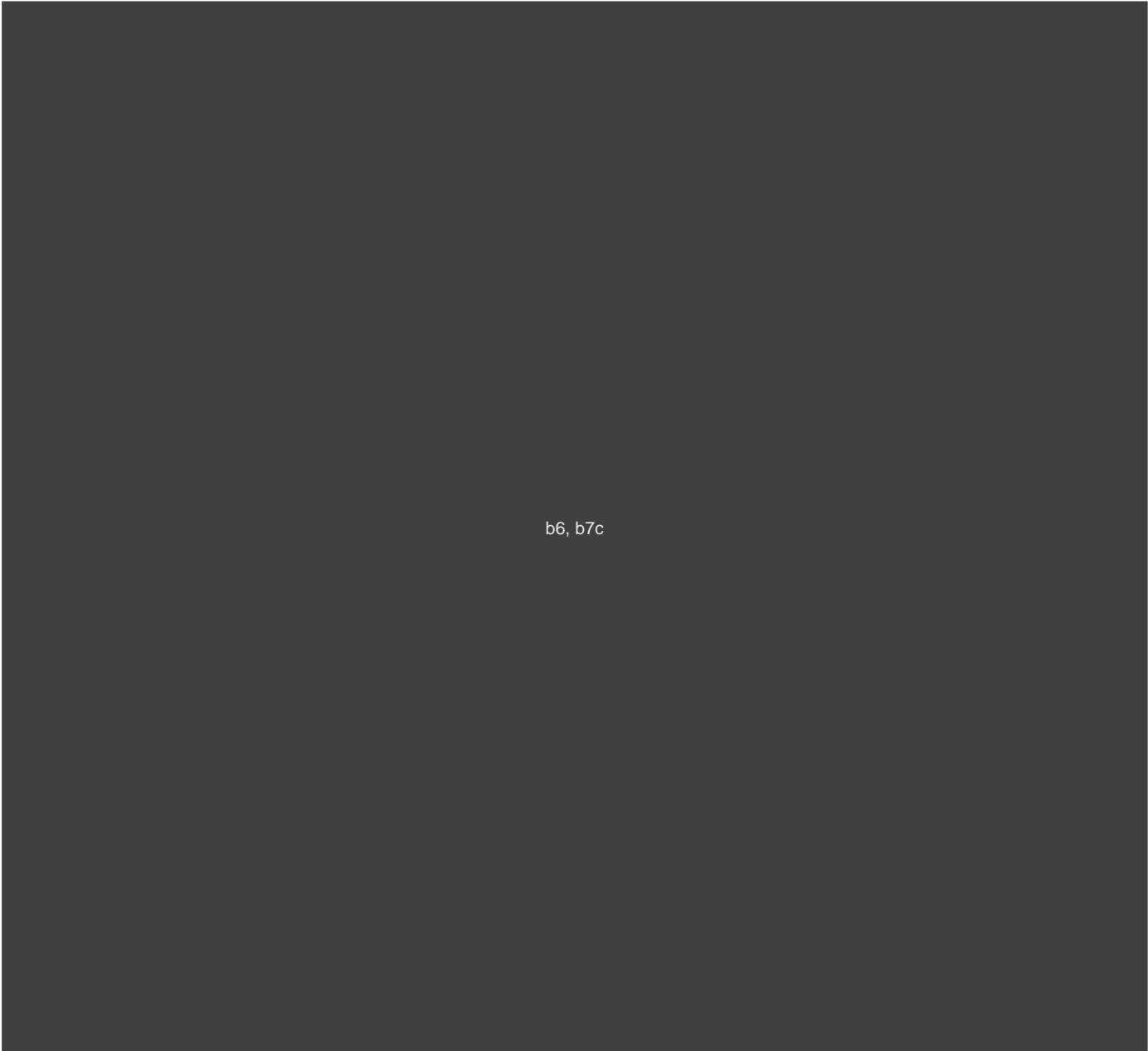
Barry can/may answer as follows:-.

- ICE's position is that most aliens encountered at worksite operations are considered PWIs who are applicants for admission thus it is their first real opportunity to present themselves for initial inspection and thus exempted from right to counsel pursuant to 8 CFR 292.5(b).
- The argument being those encountered during WSE ops with ICE agents is the beginning of the inspection process. This position is consistent with INA 235 (b).
- Prior to any arrest ICE agents have authority to ask any alien questions as to his/her right to be or remain in the United States under INA § 287 (a)(1) .
- Such encounter is done strictly on a consensual basis. Thus if an alien refuses to answer, the encounter ceases immediately.
- If alien chooses to answer and based on his/her response the ICE agent believes the alien is illegally in the US, that officer is authorized "to arrest any alien in the United States, if he has reason to believe [probable cause] that alien so arrested is in the United

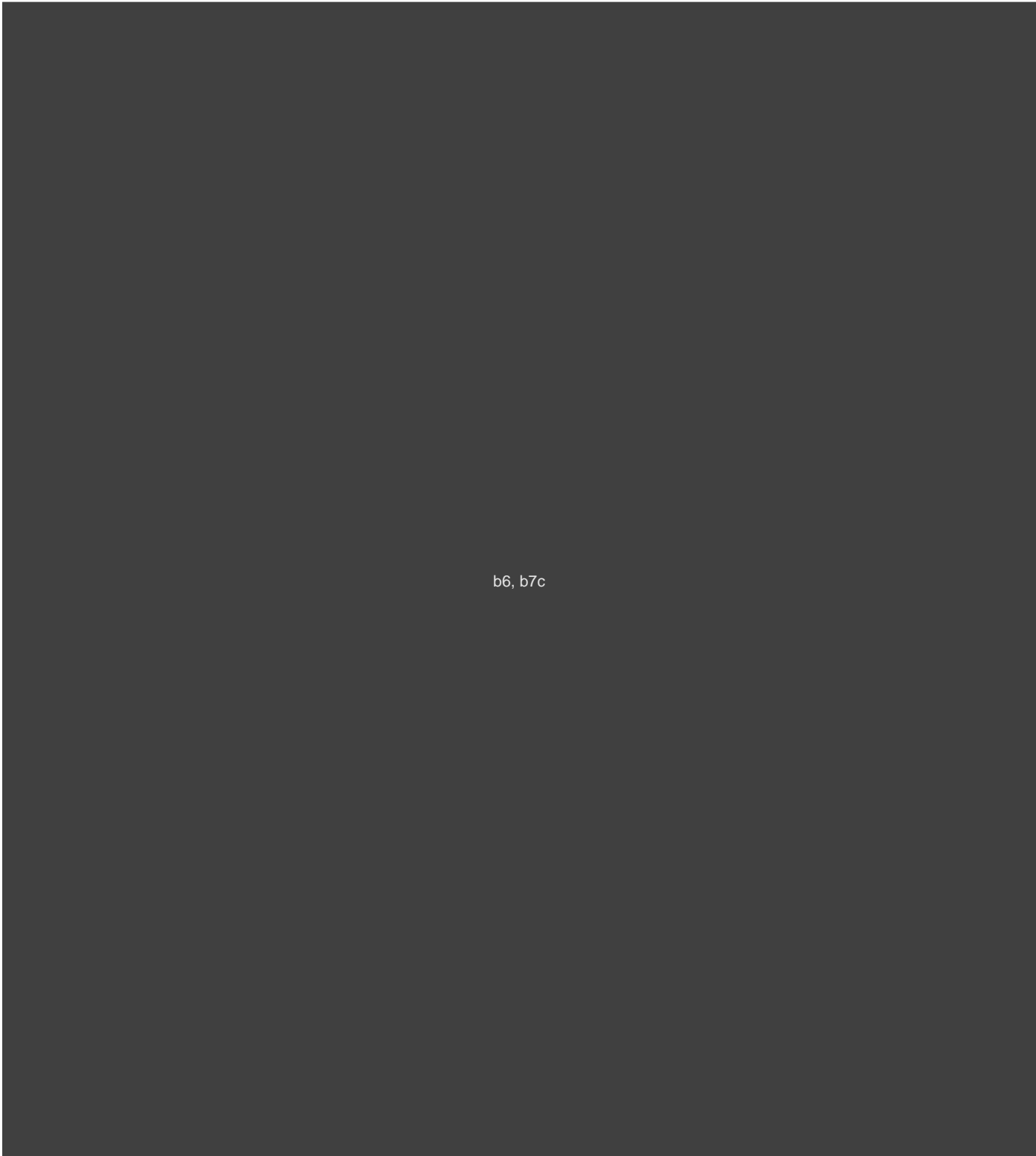
states in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest. Section 287(a) (2).

- After arrest and NTA processing is pursued under 8 CFR 287.3 (a) the so called “examination” required by that regulation right to representation accrues pursuant to 8 CFR 292.5 (b) .

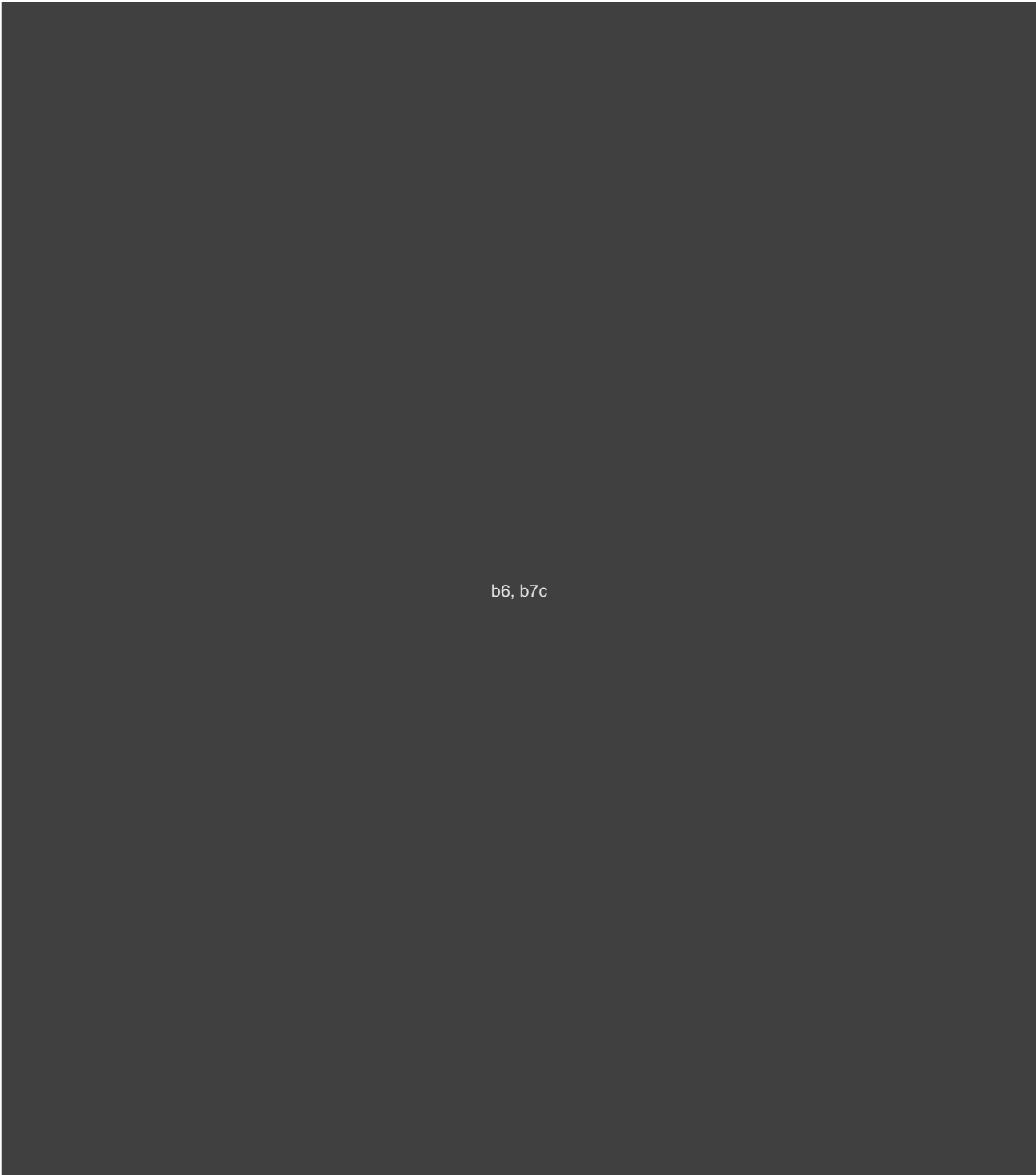
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FOR THE NORTHERN DISTRICT OF GEORGIA**



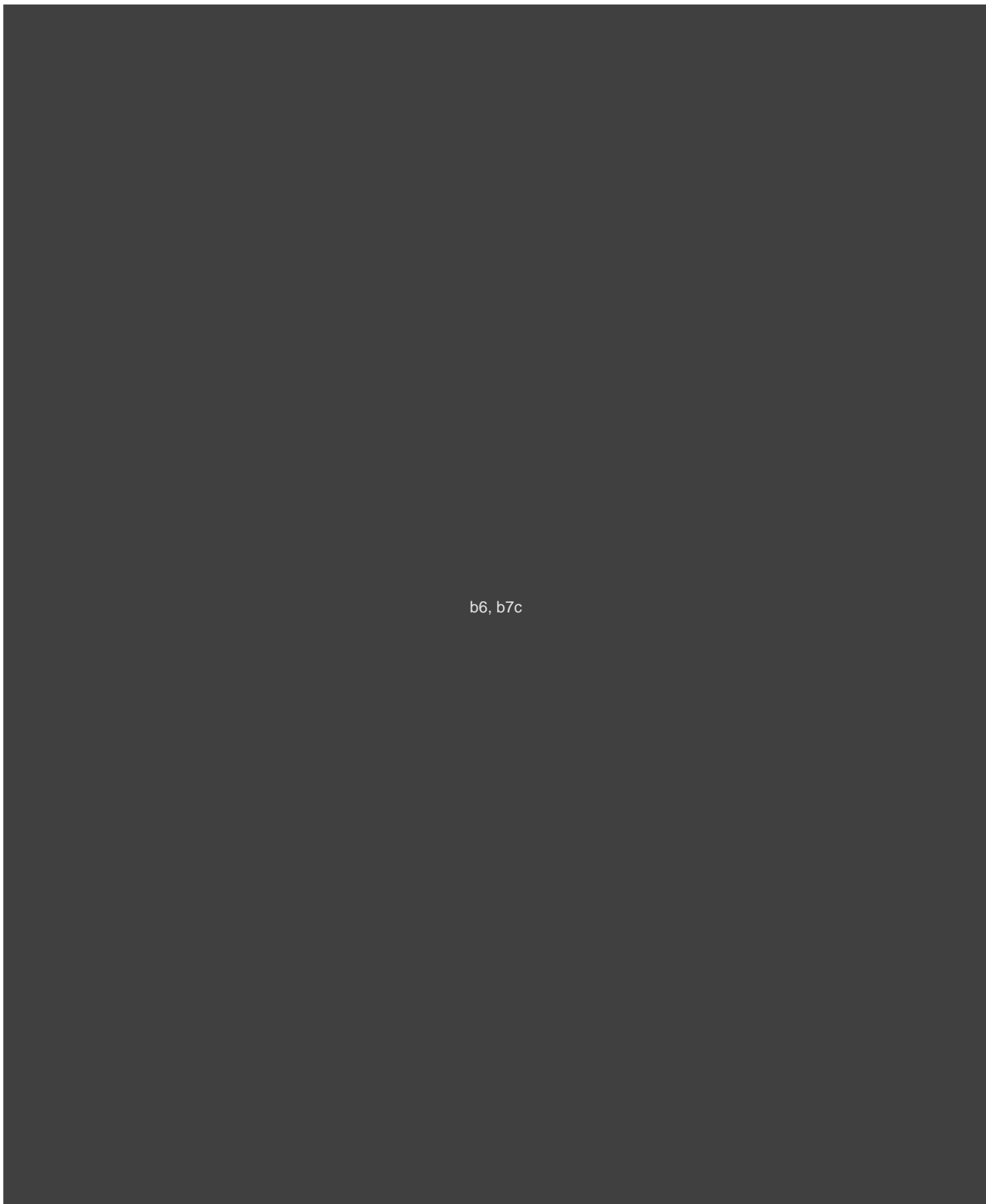
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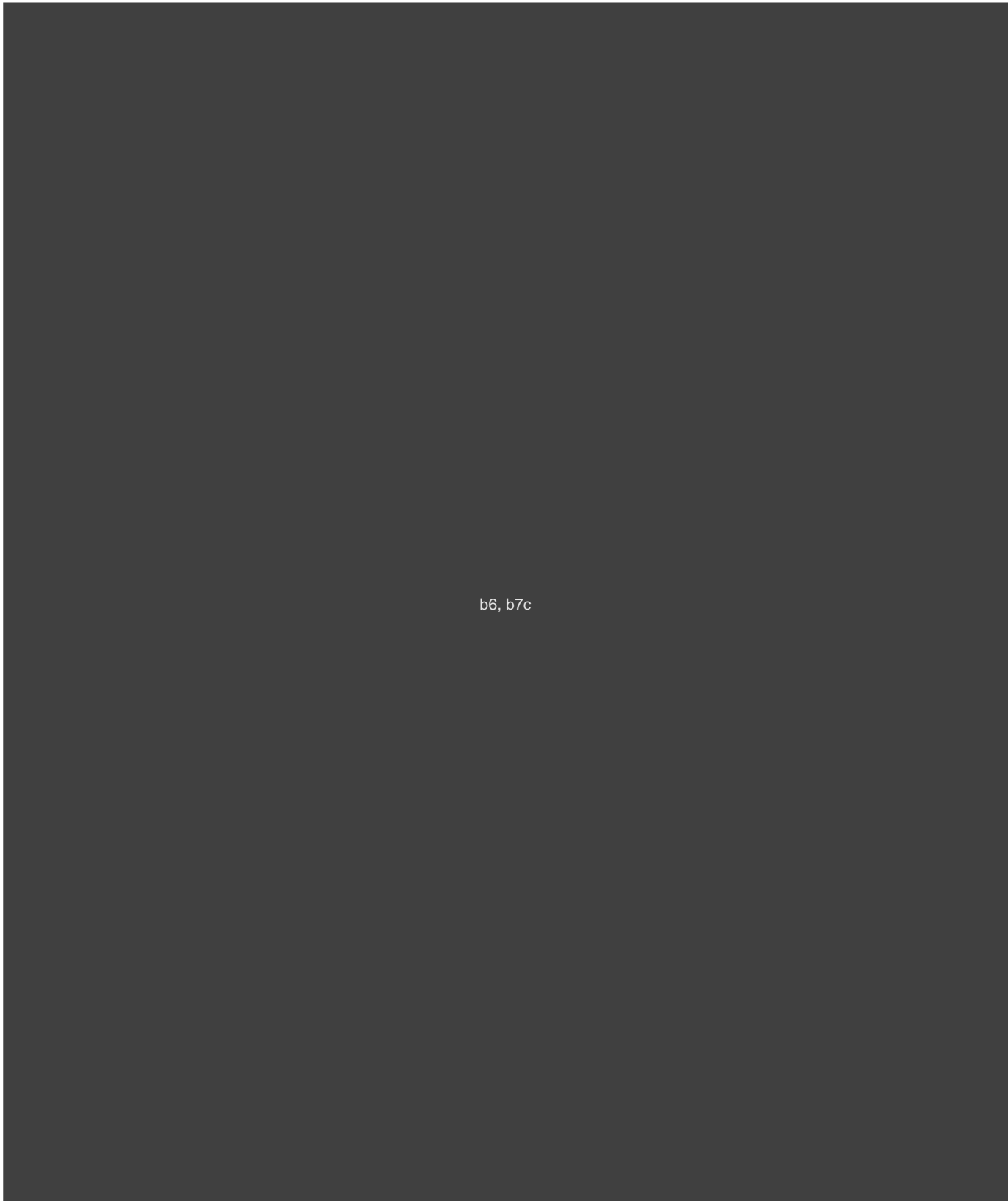
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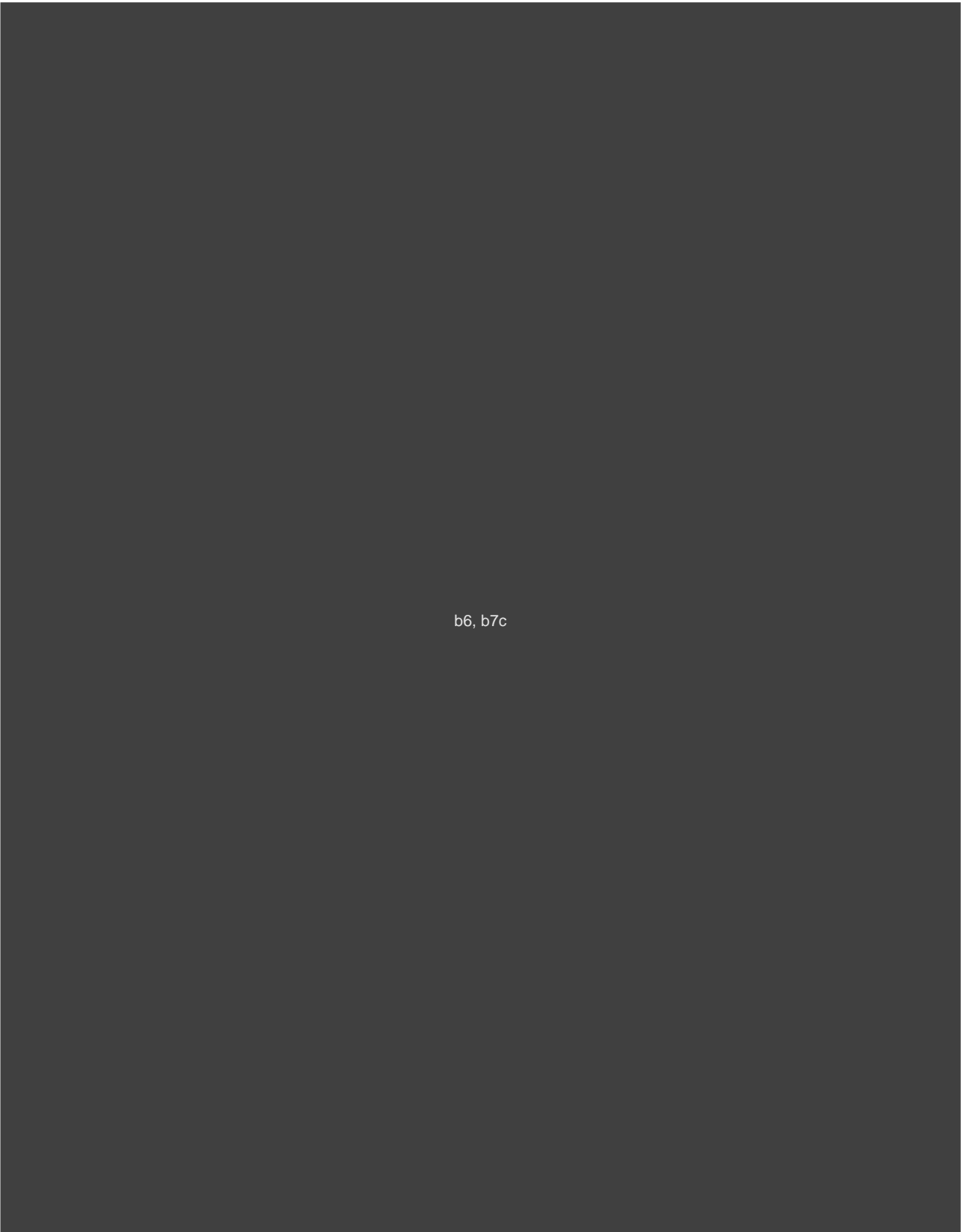
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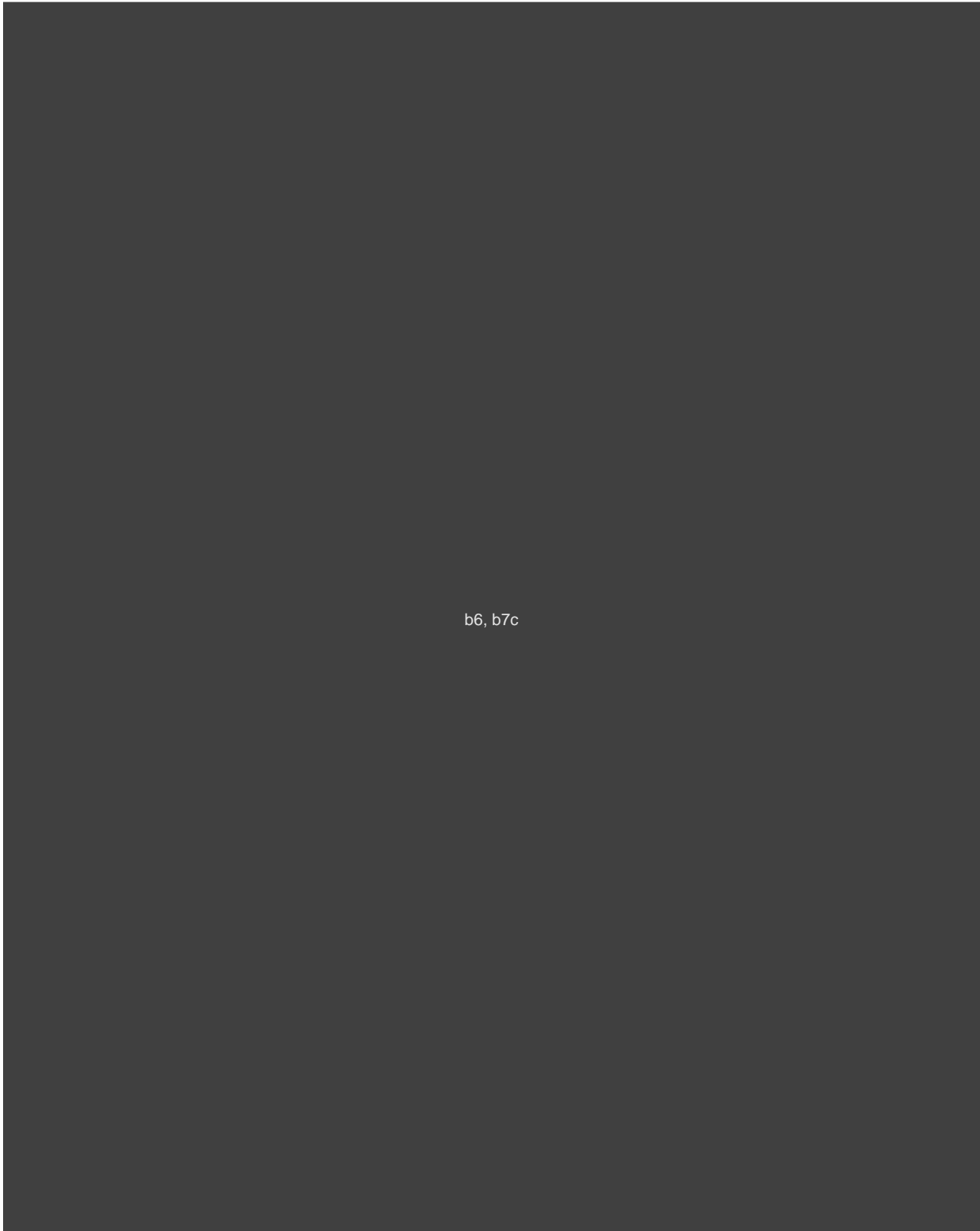
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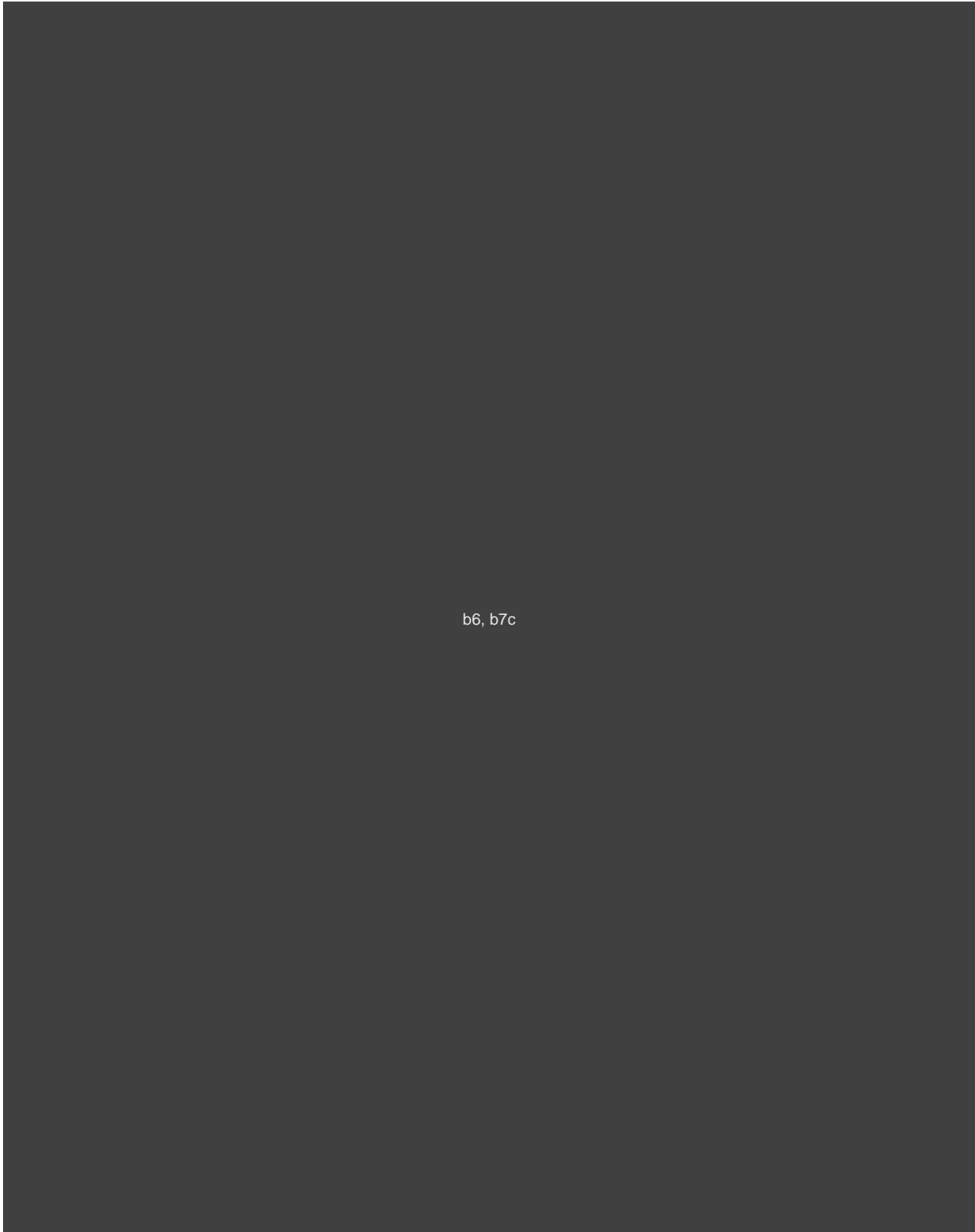
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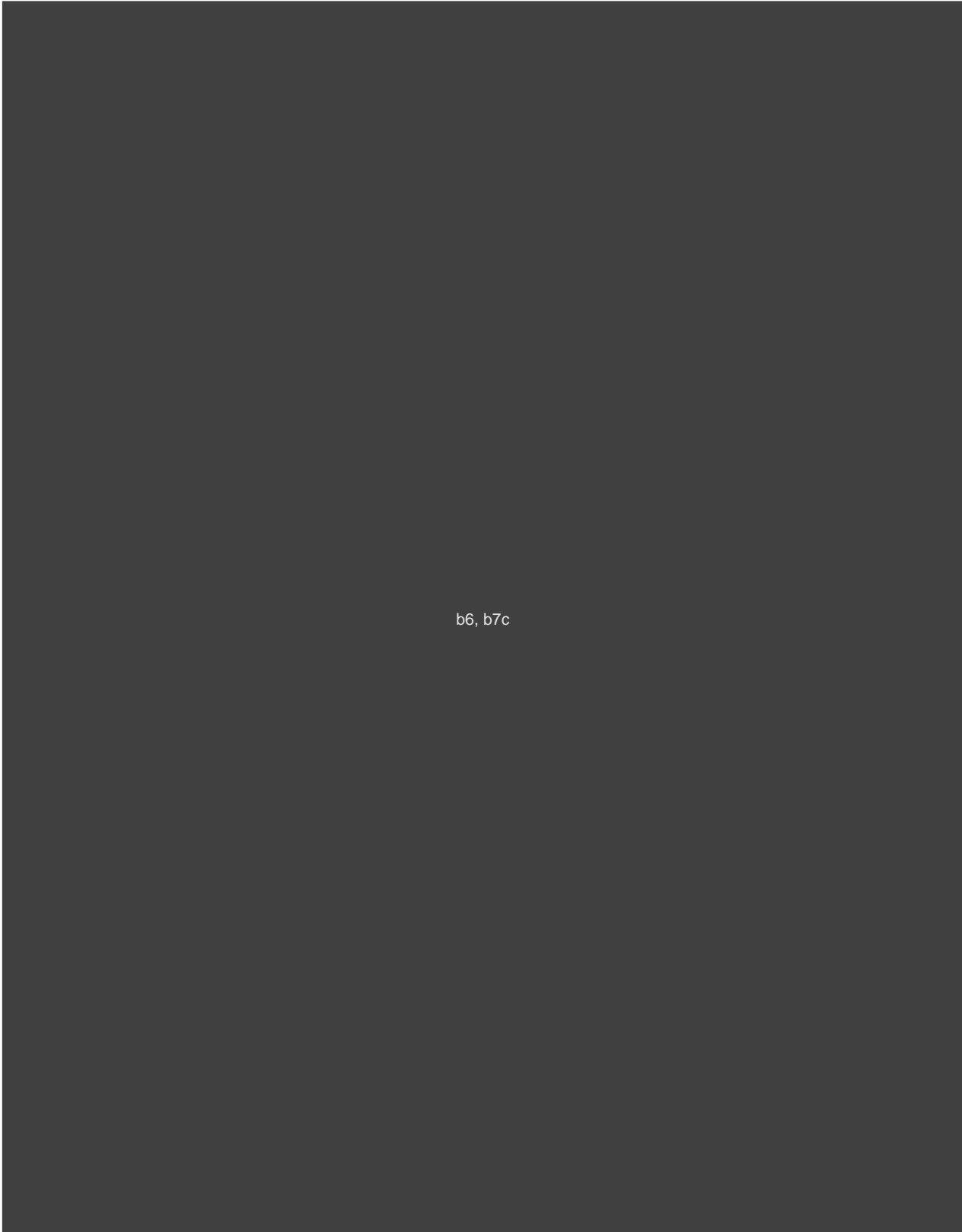
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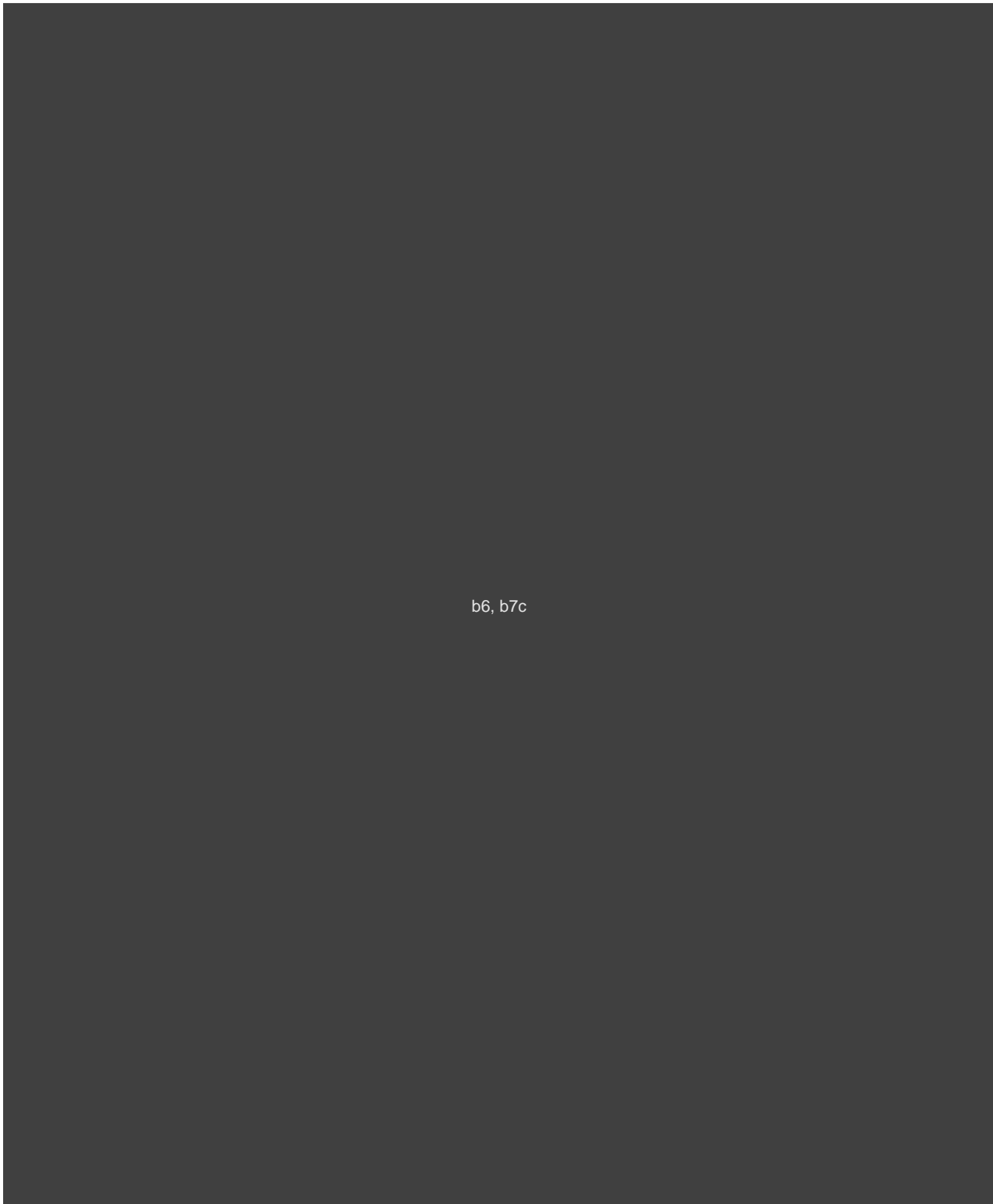
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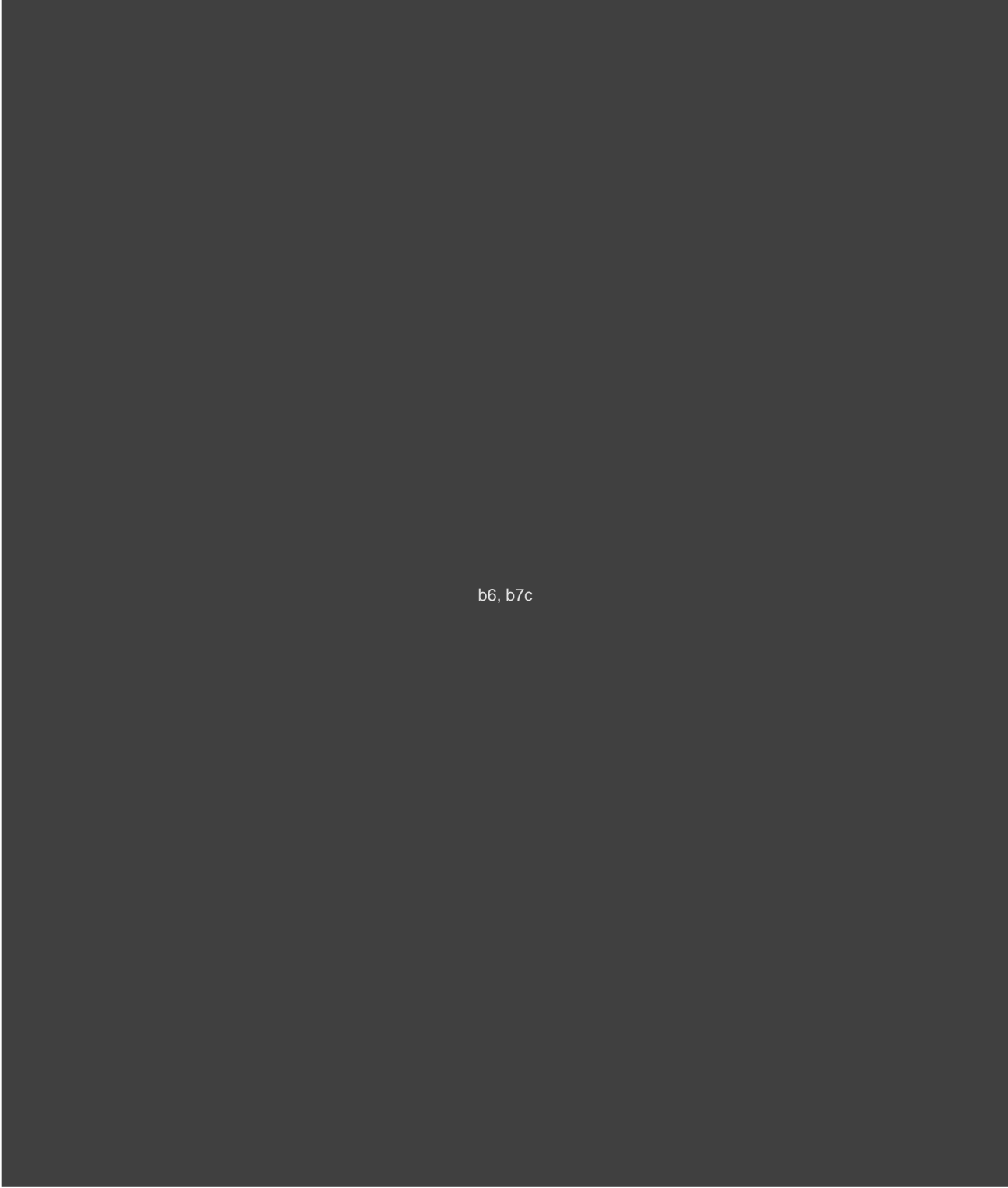
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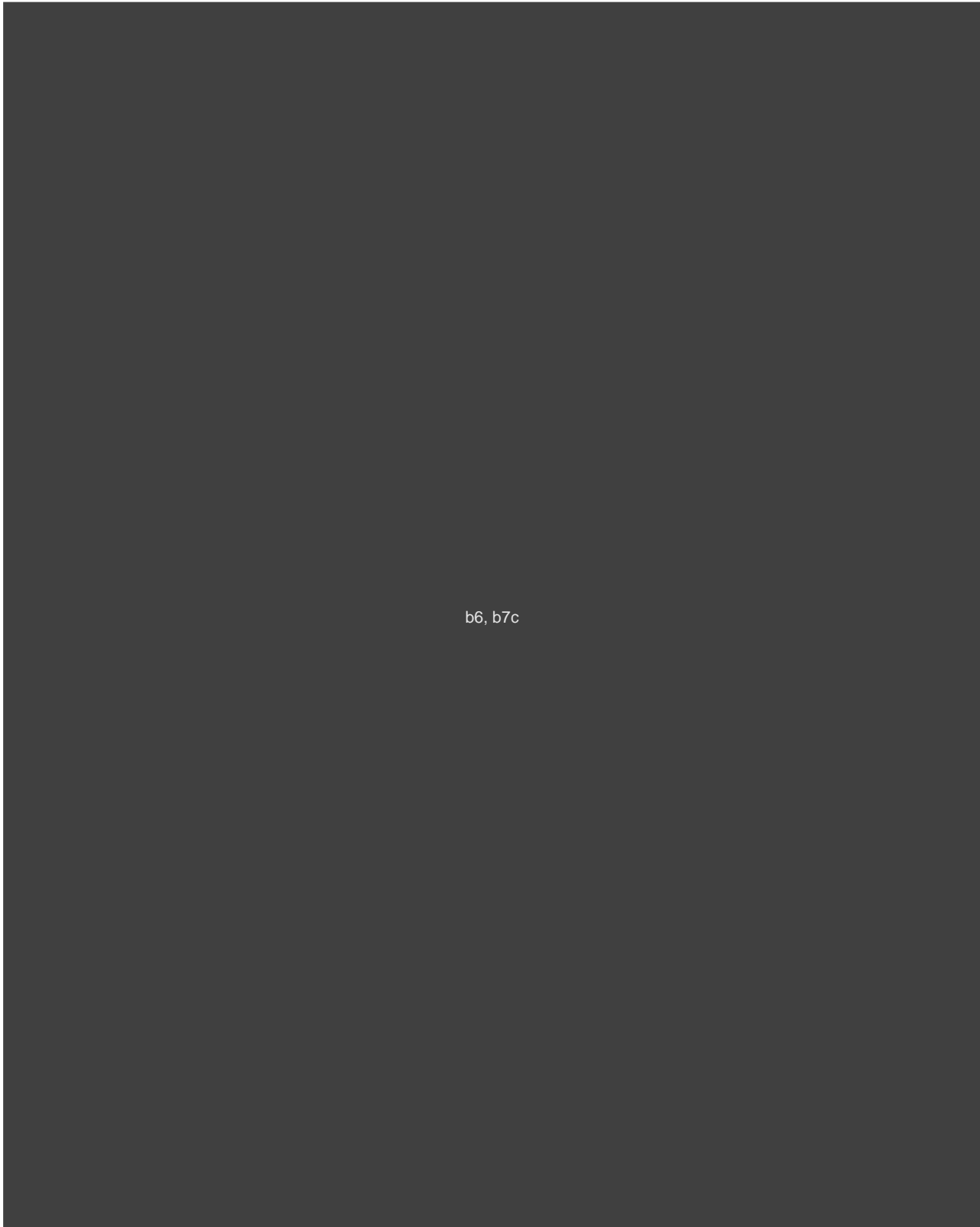
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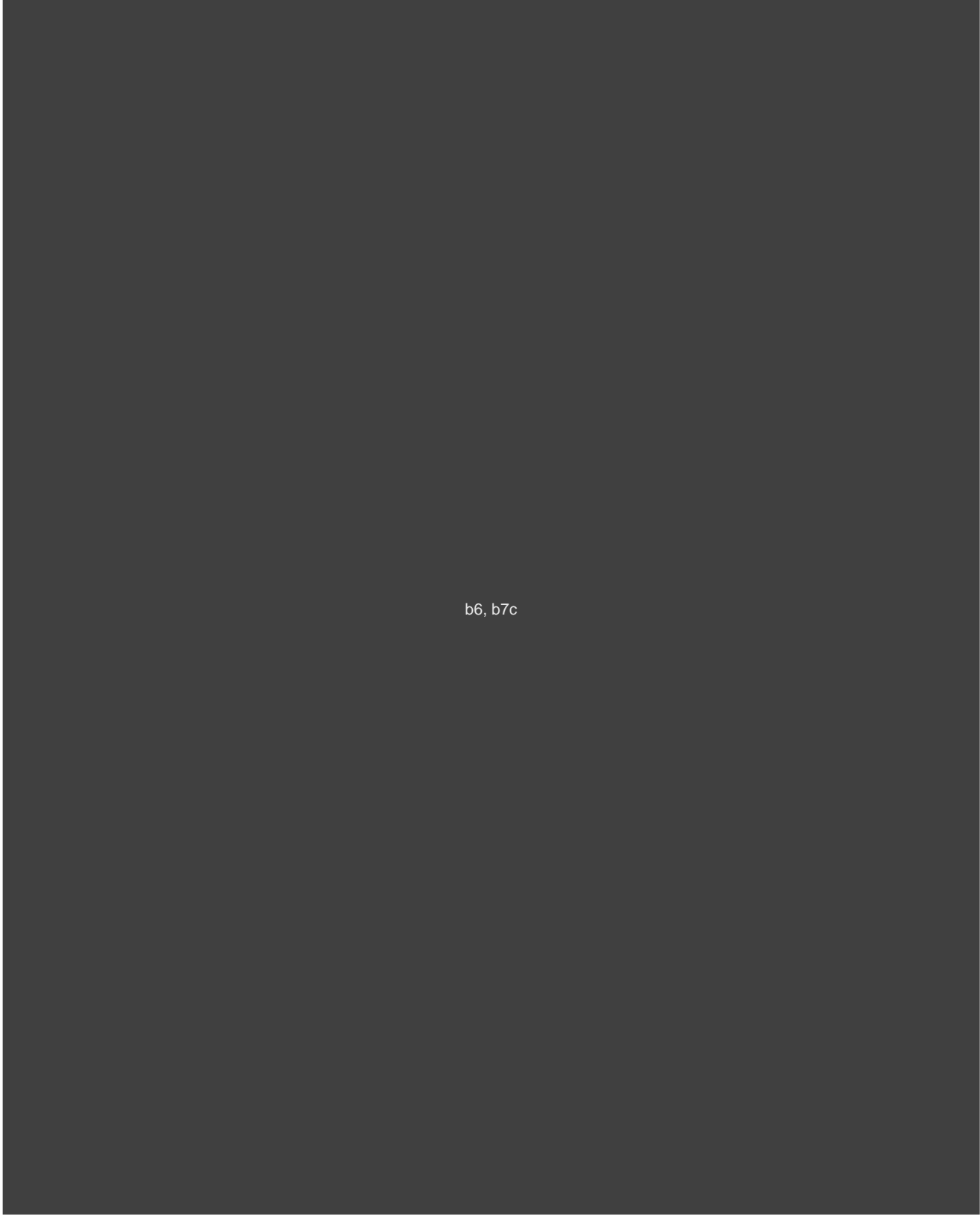
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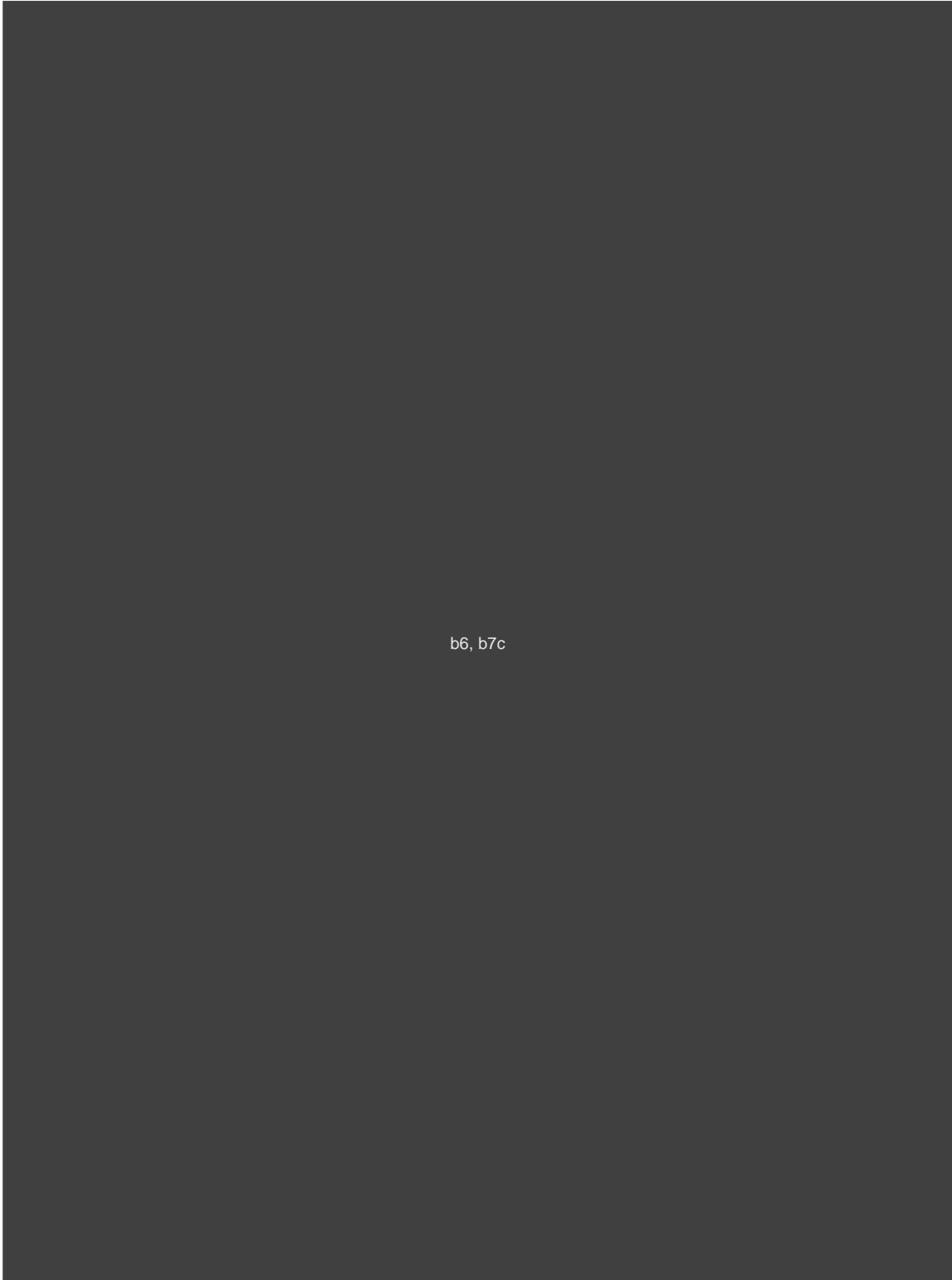
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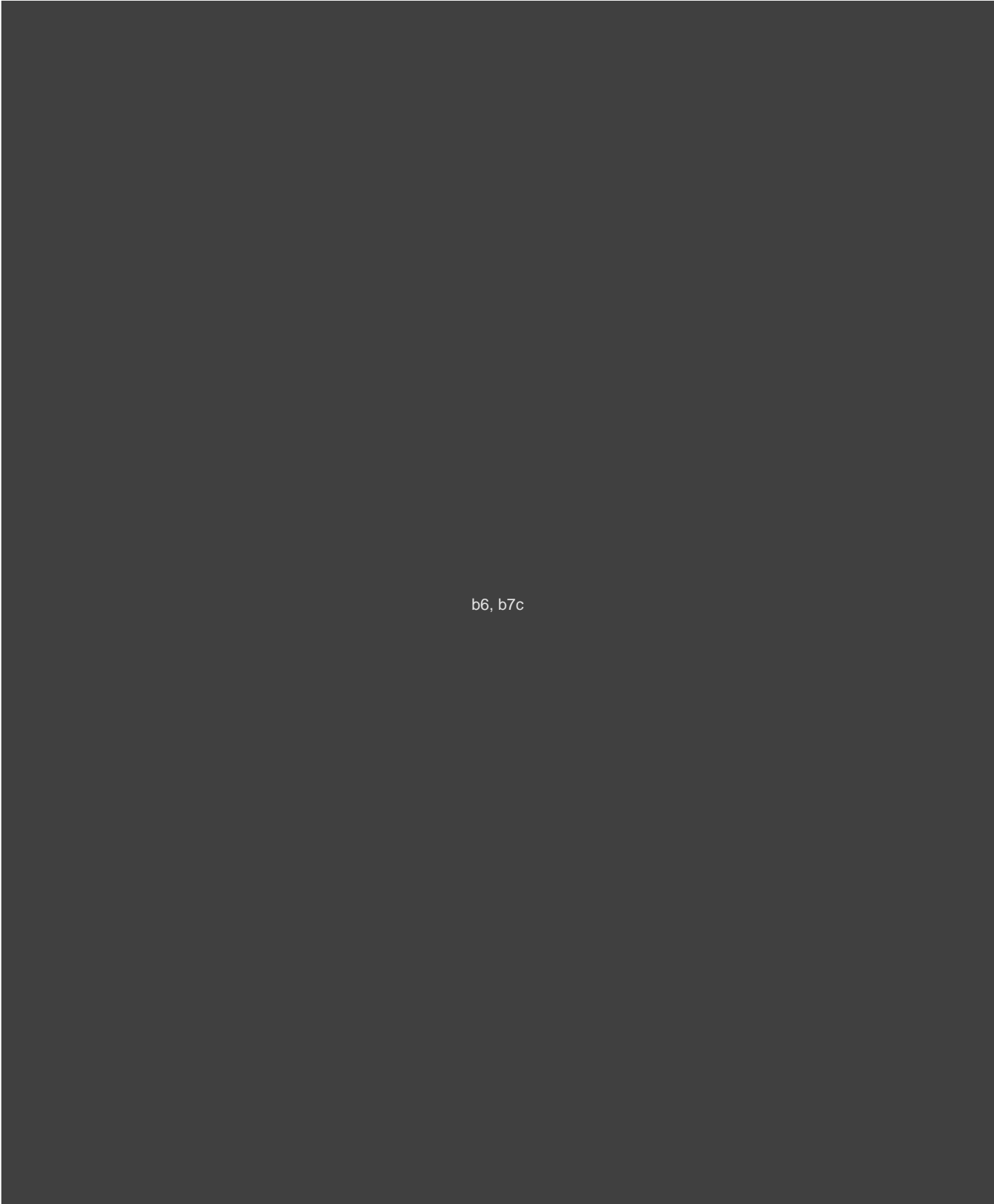
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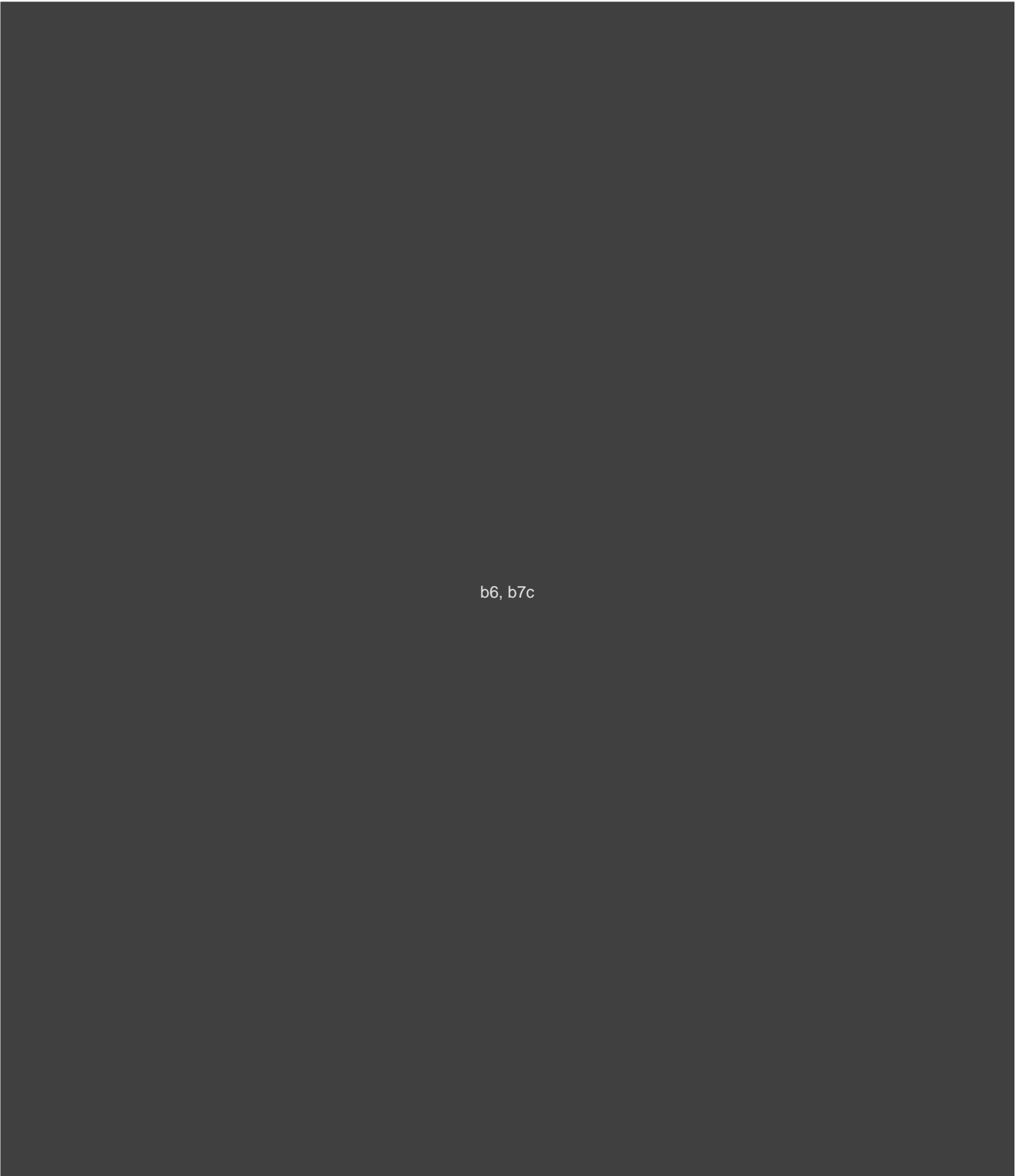
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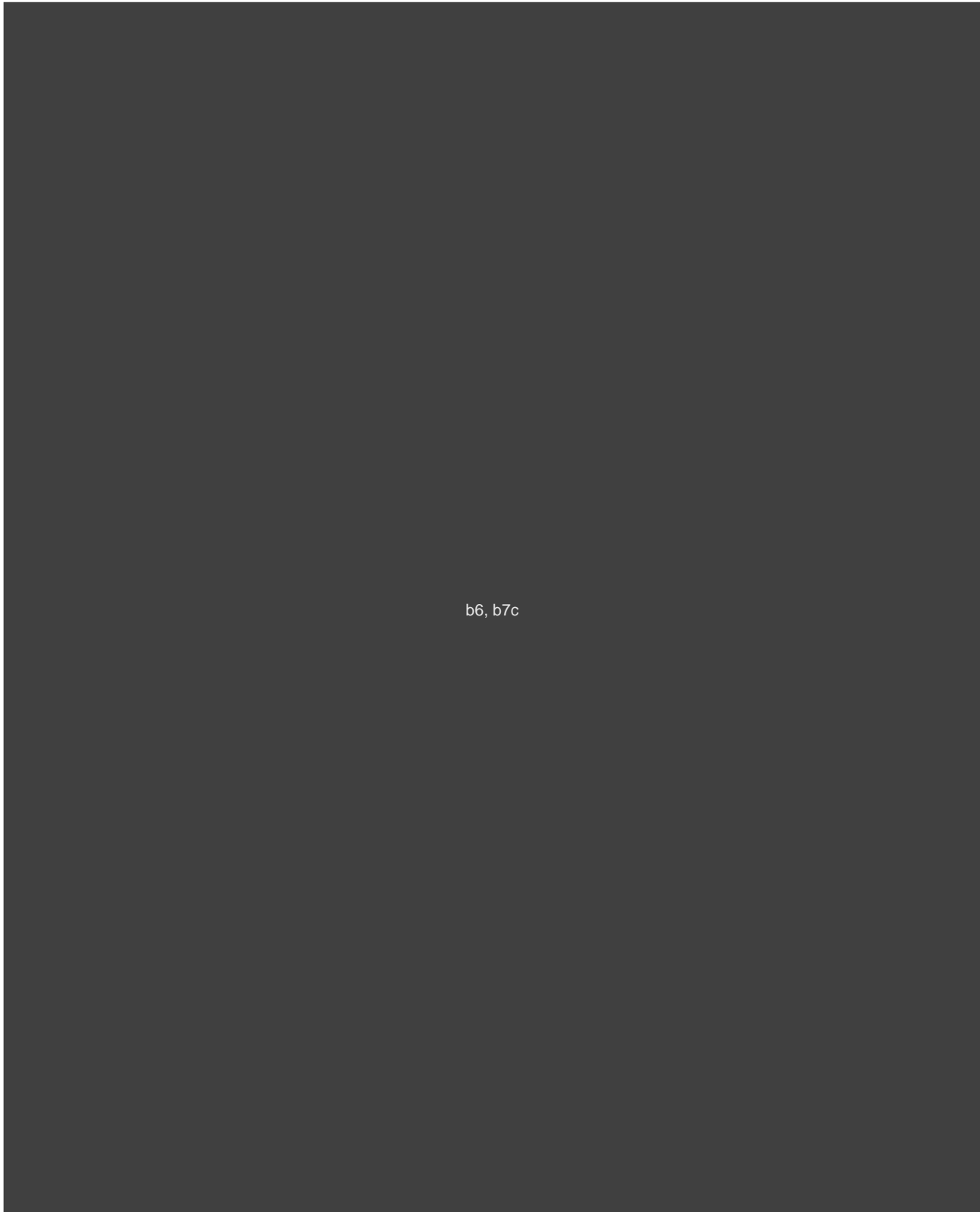
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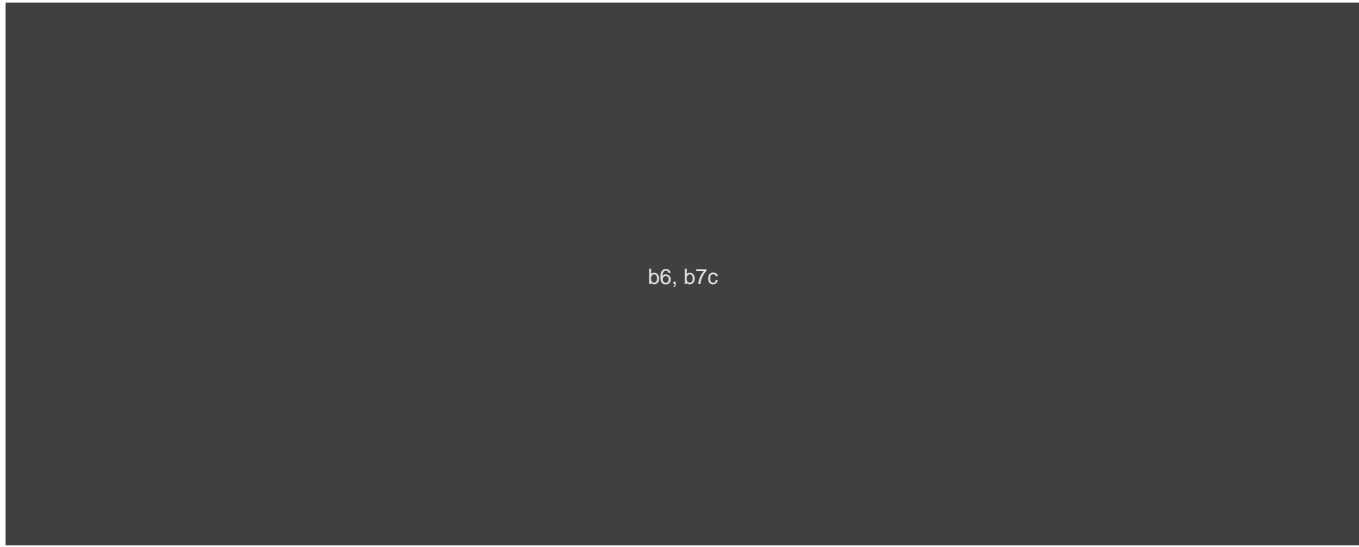
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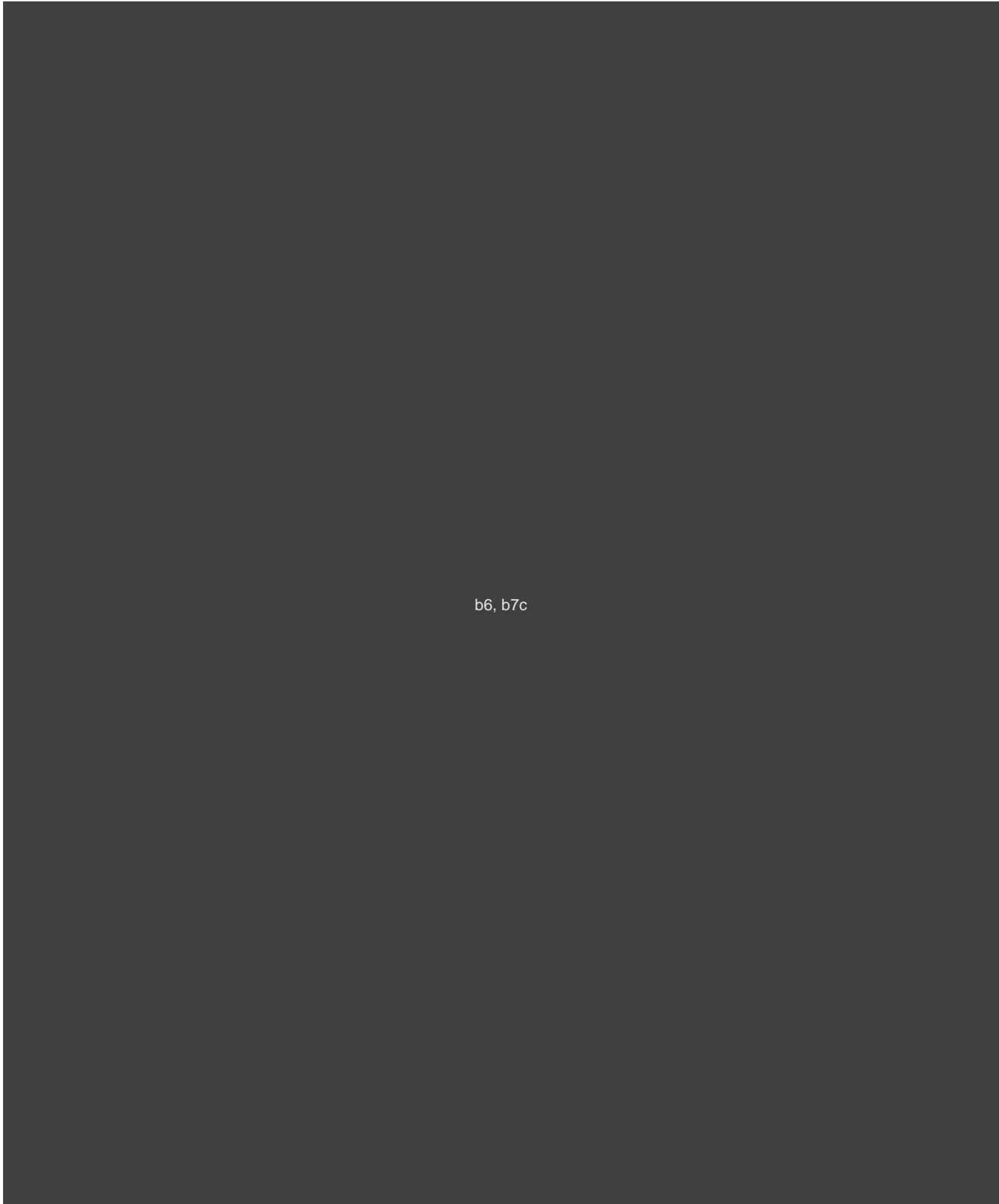
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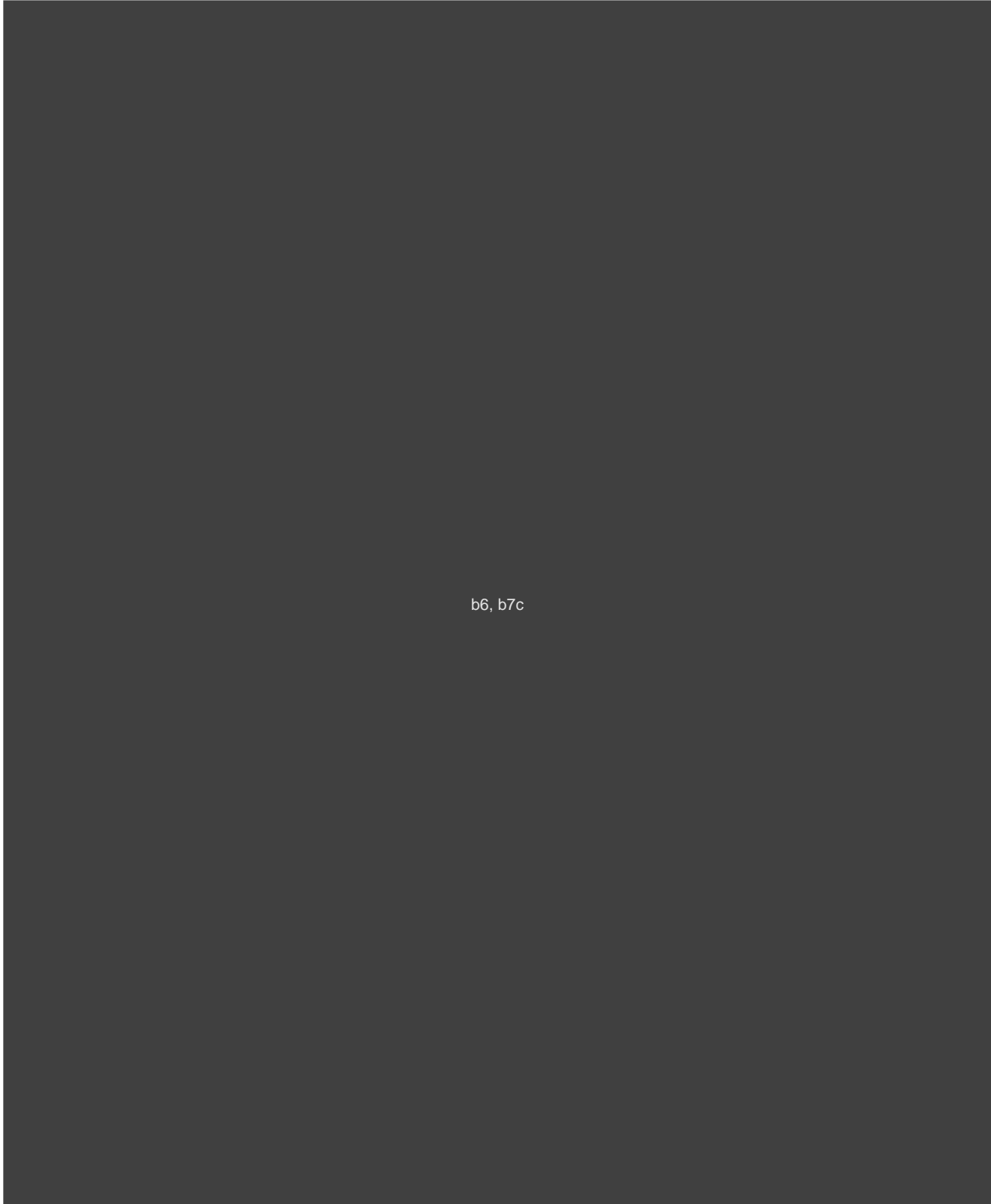
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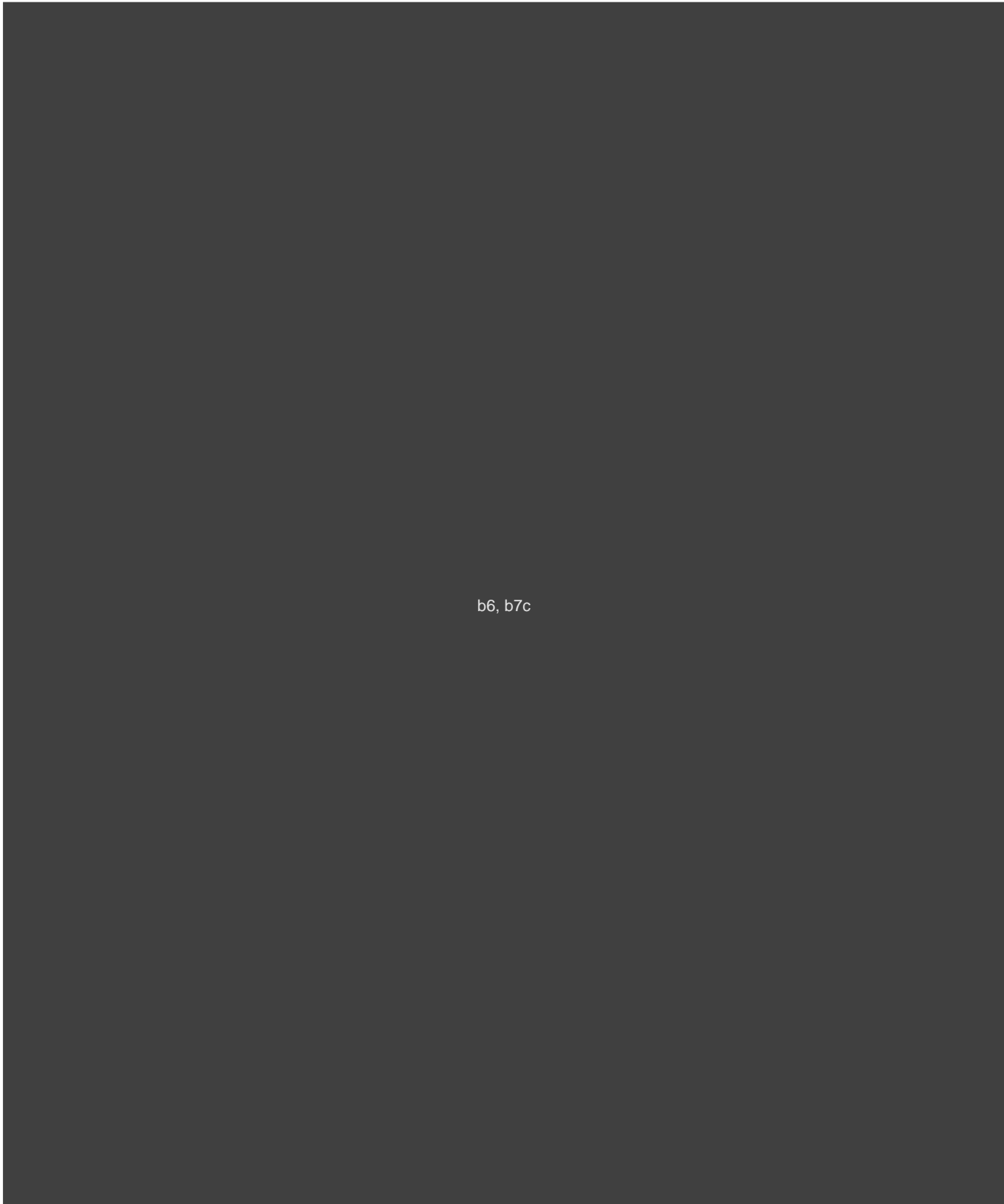
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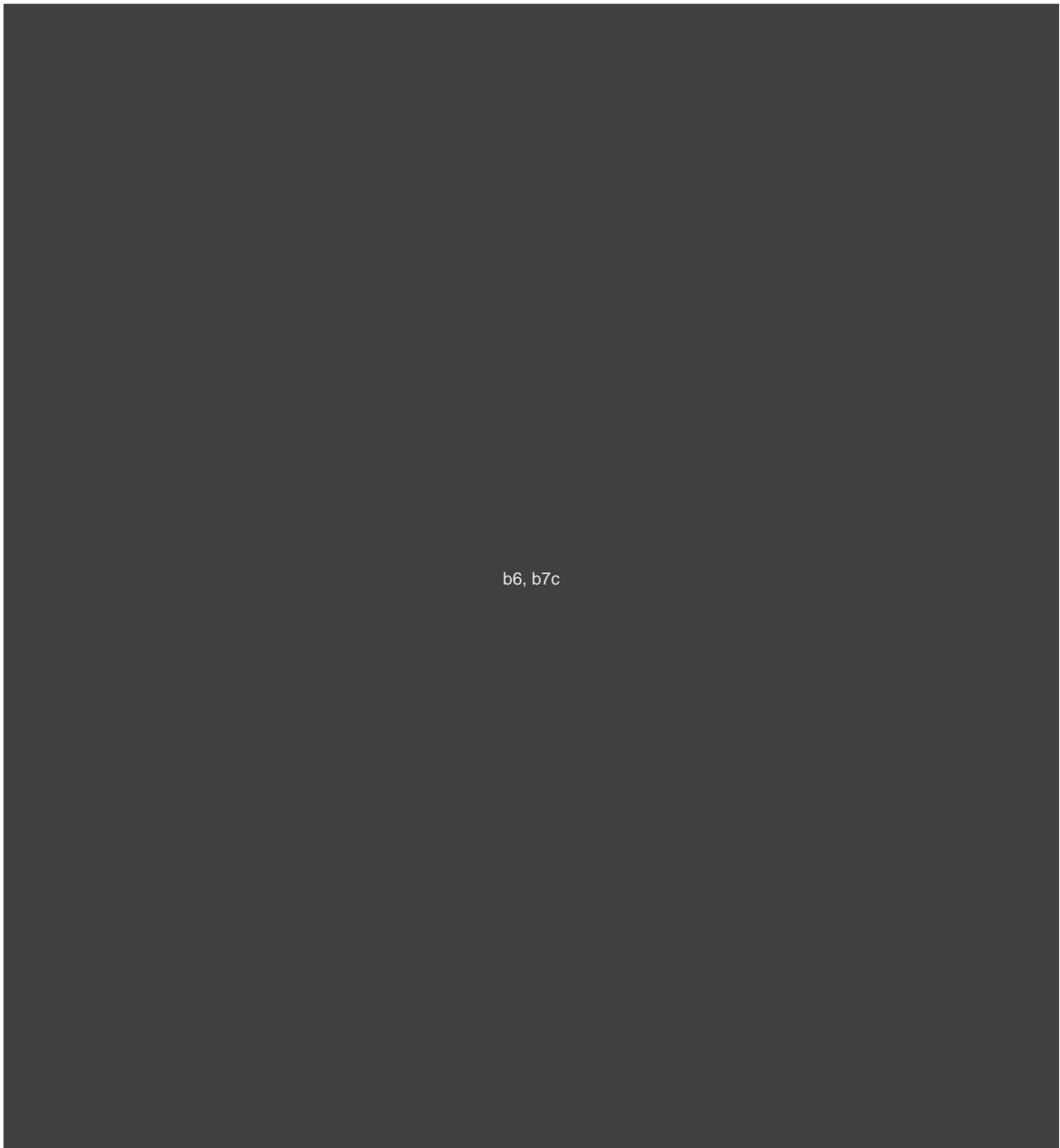
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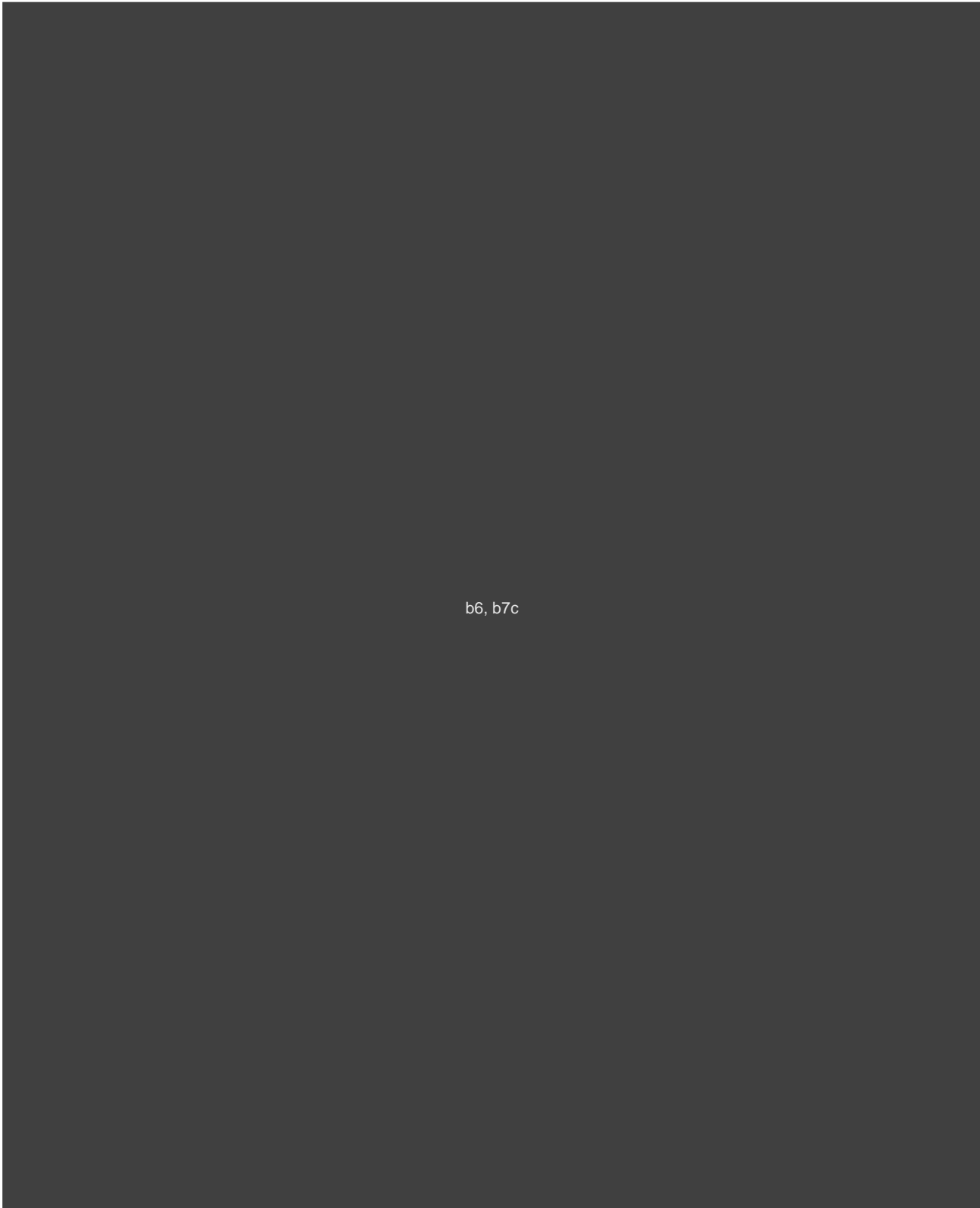
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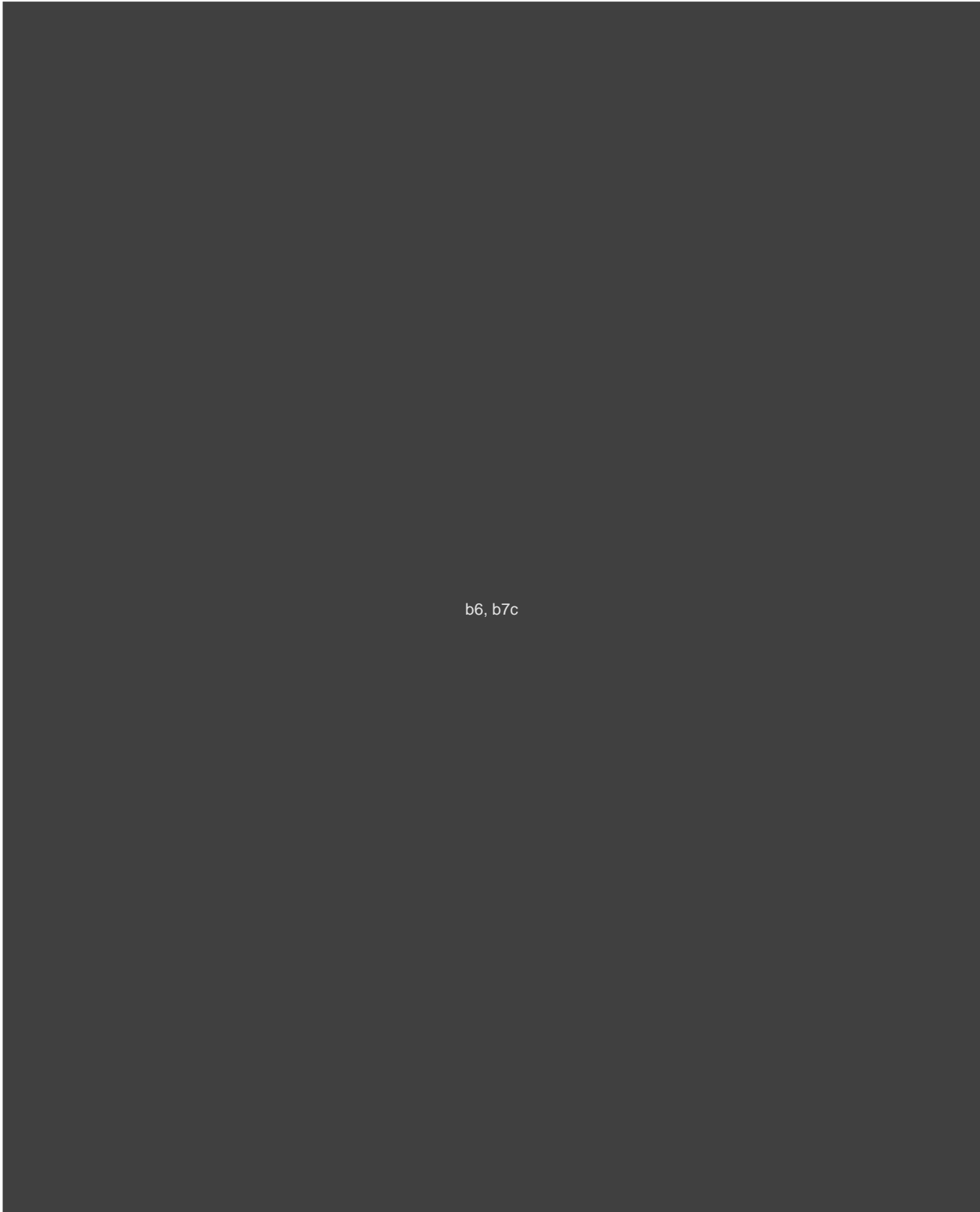
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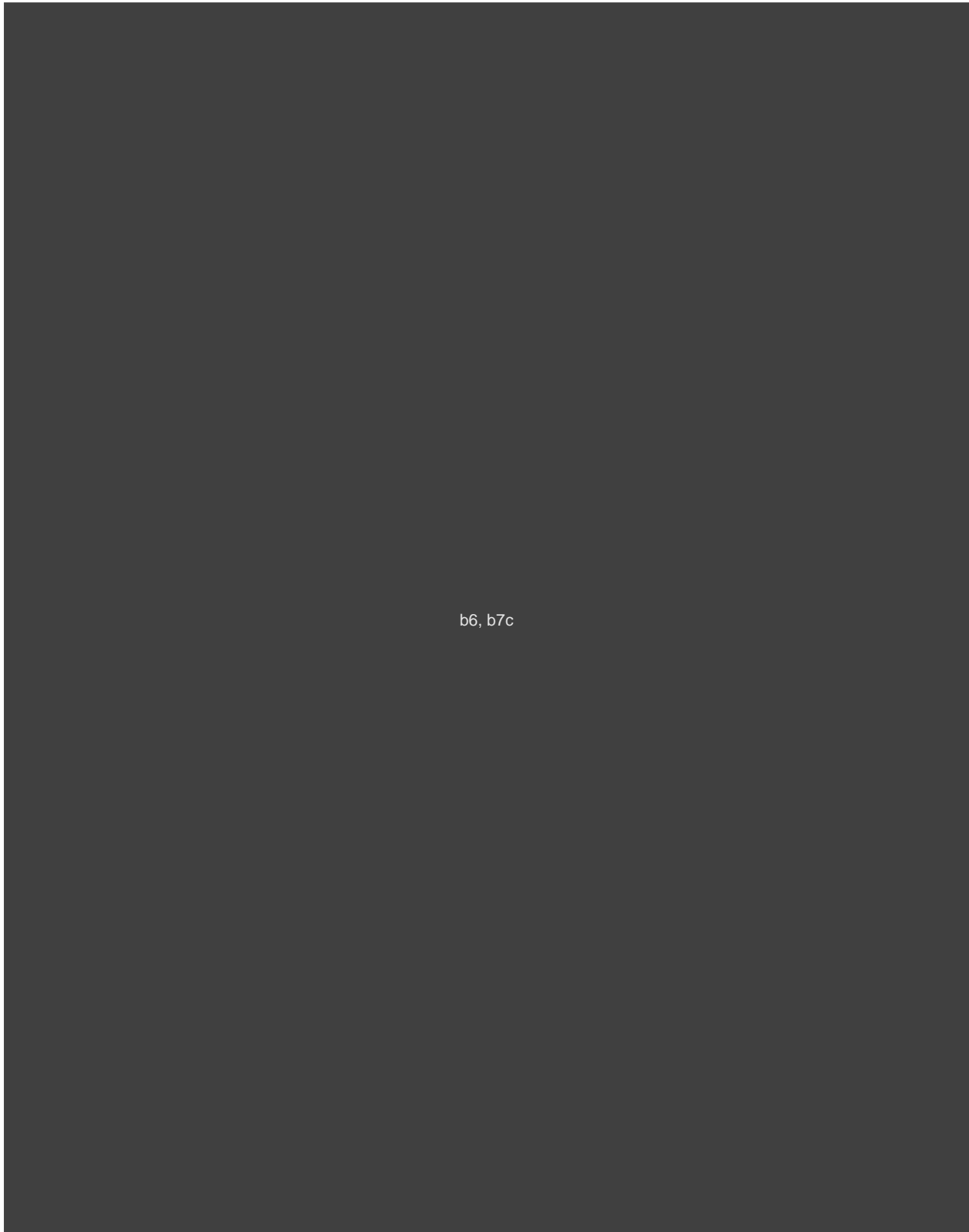
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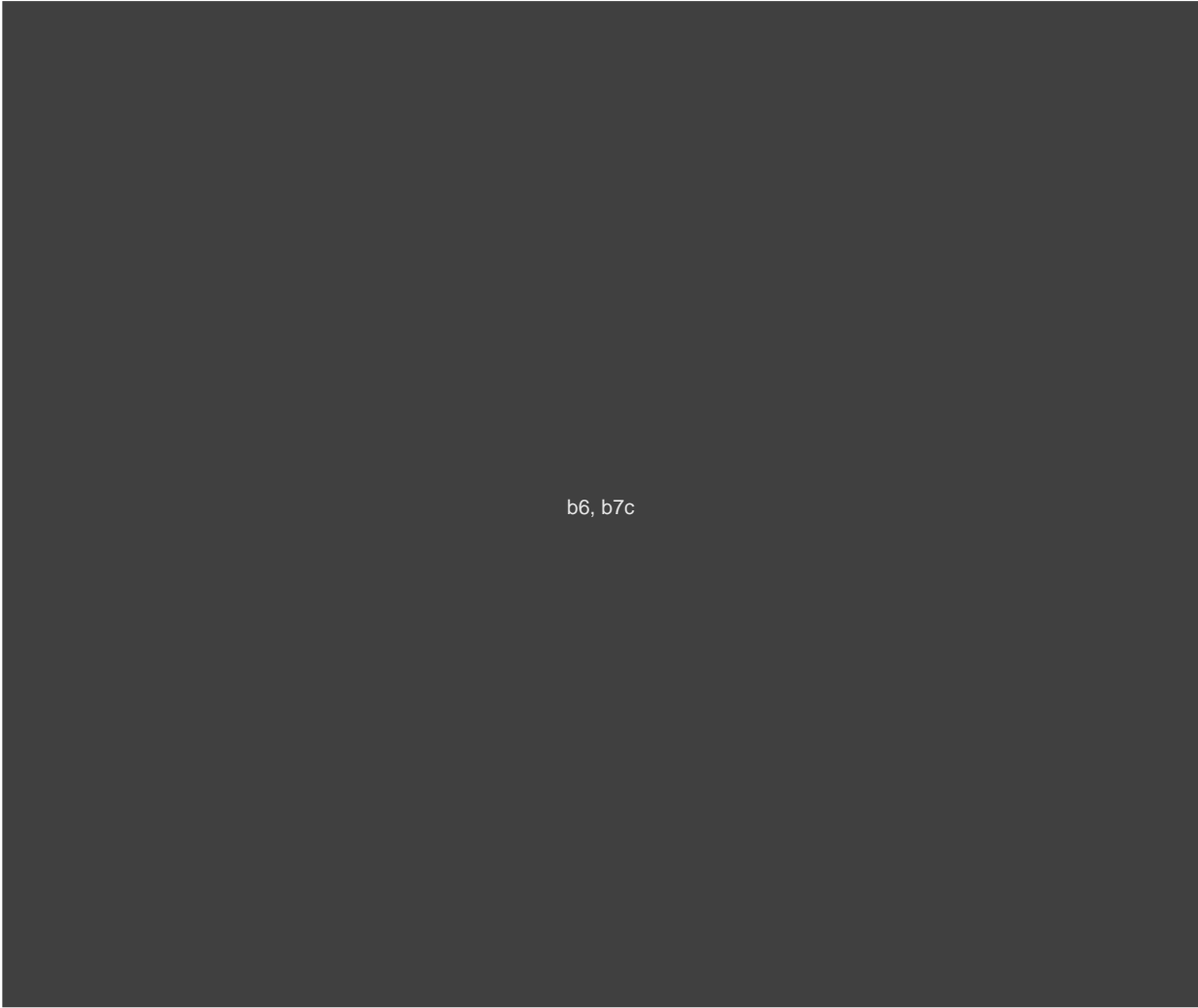
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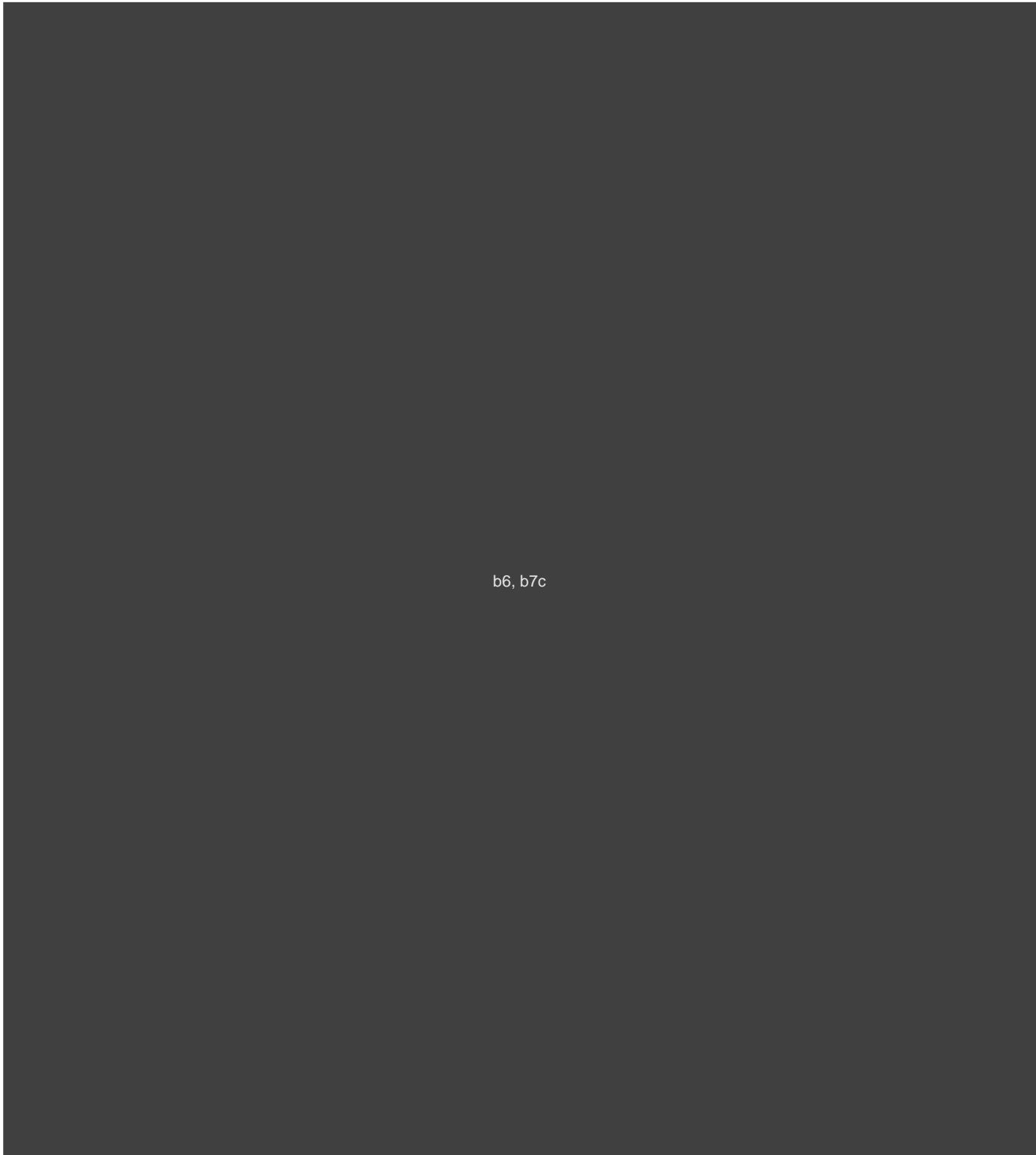
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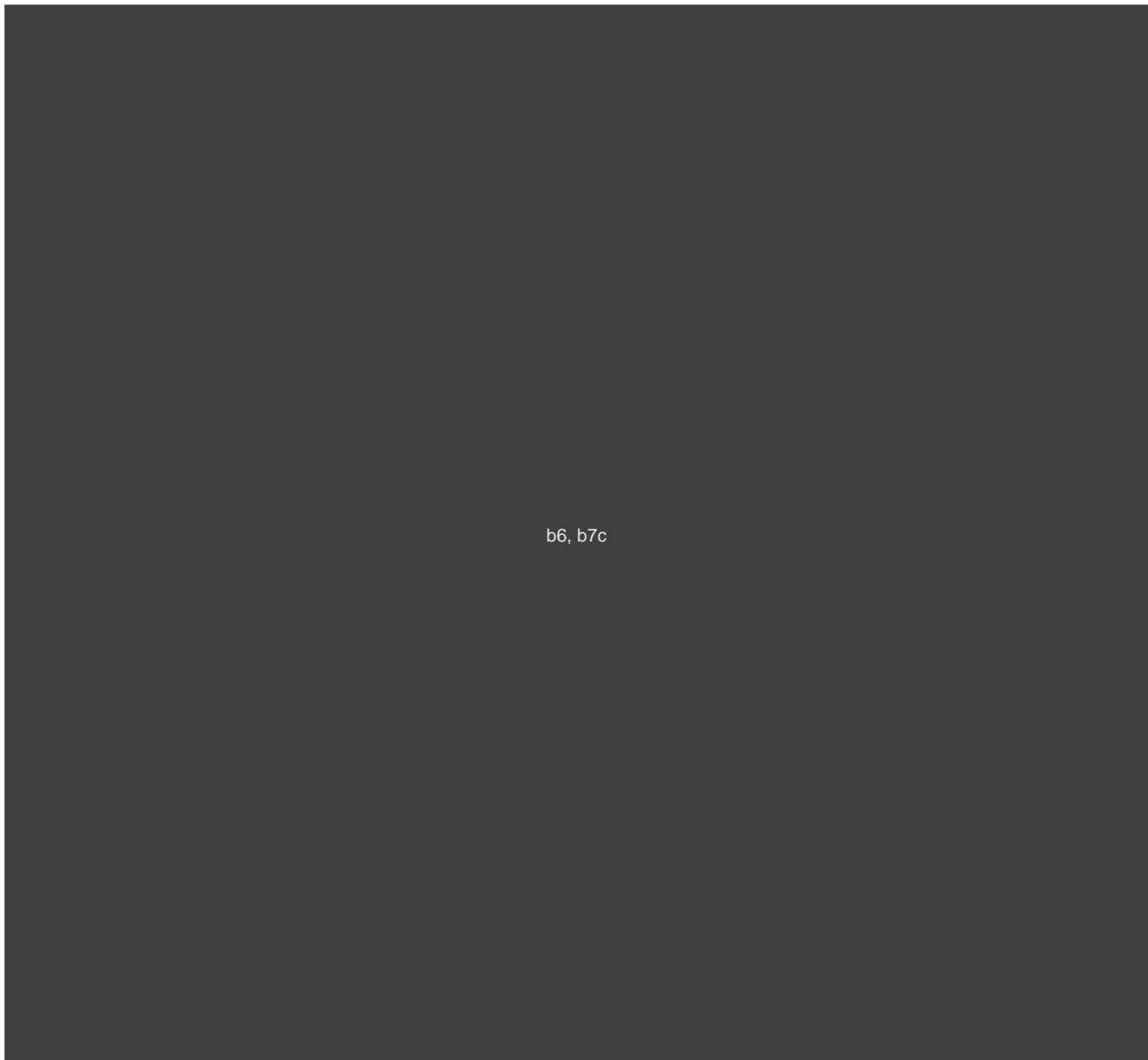
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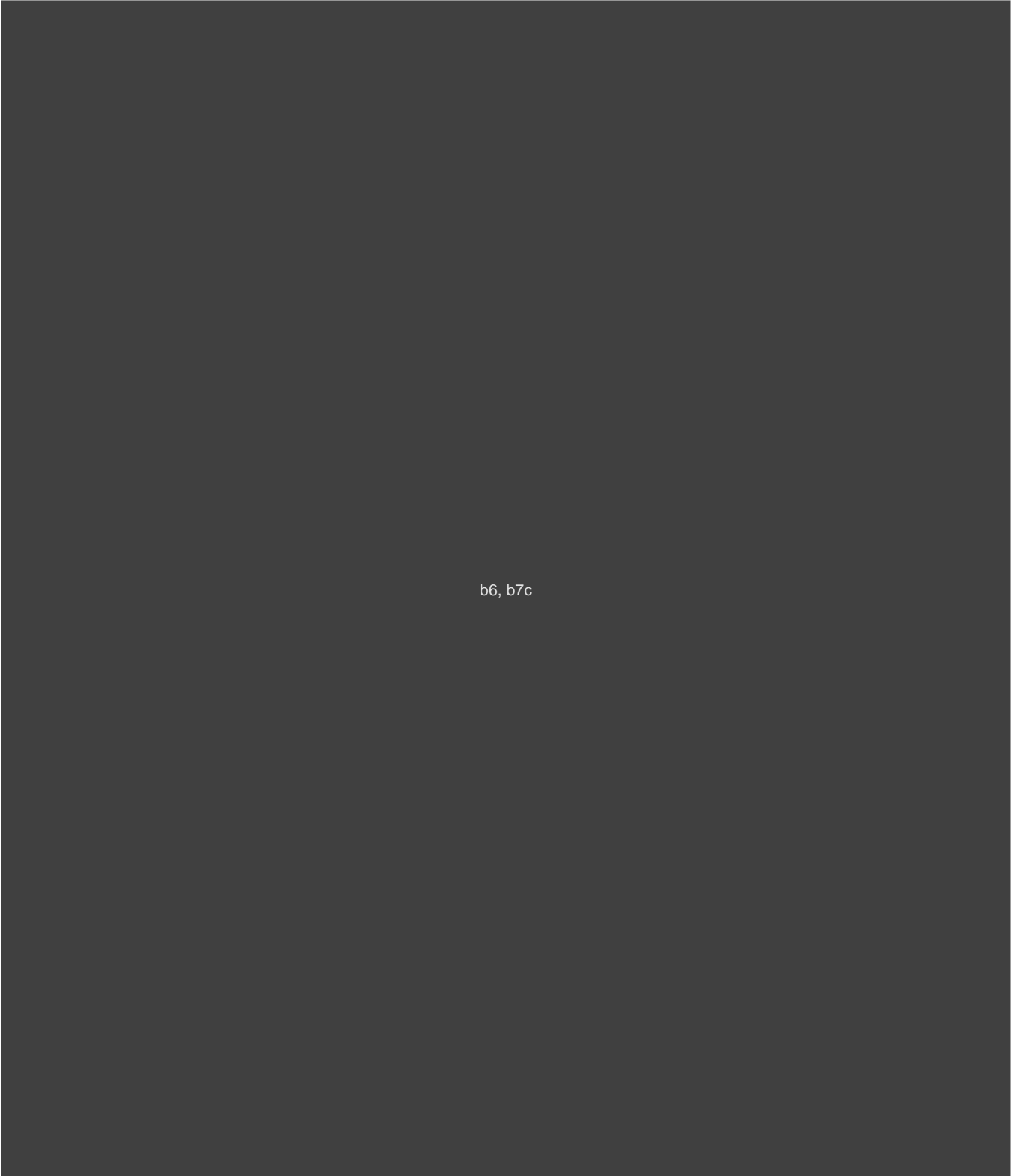
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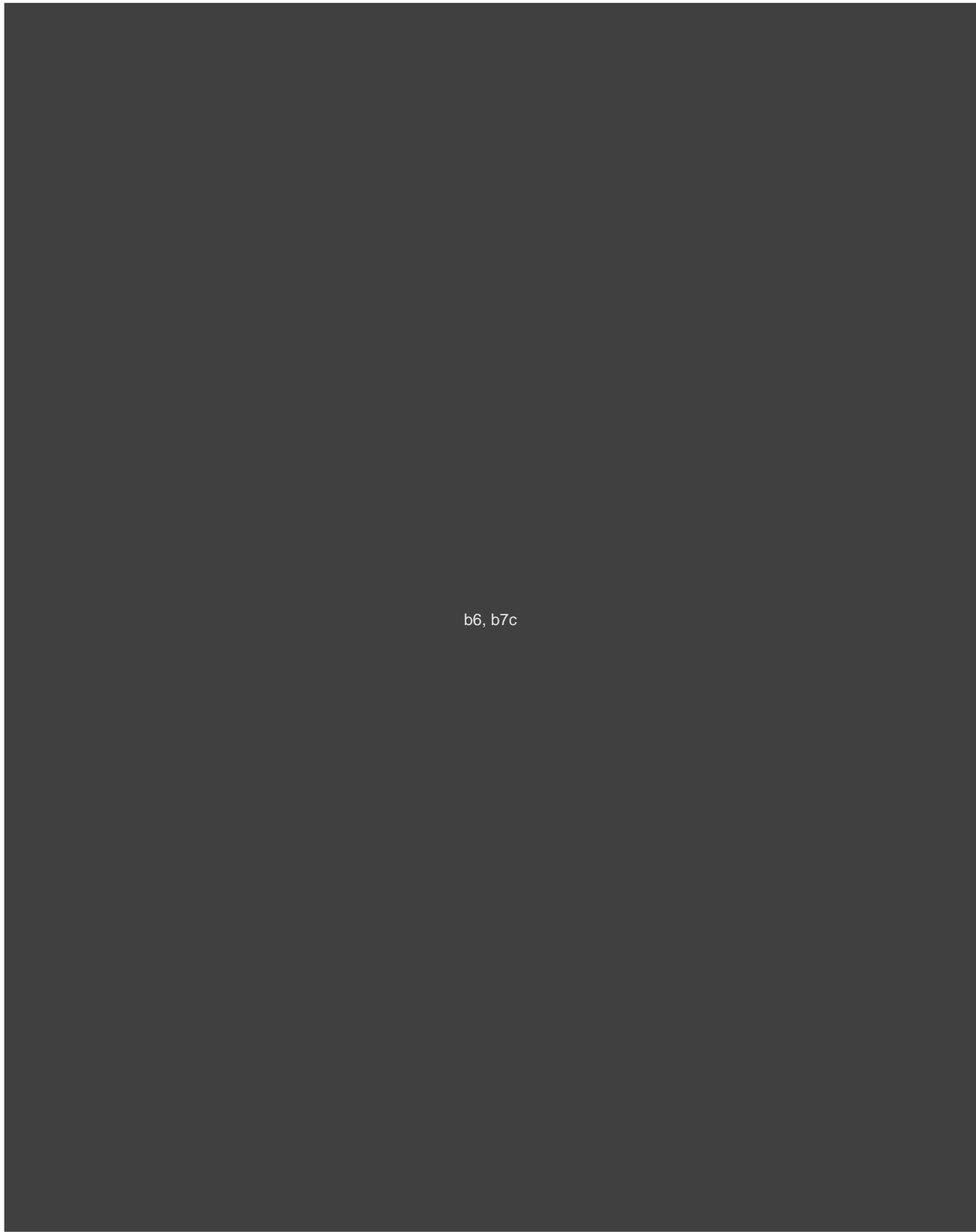
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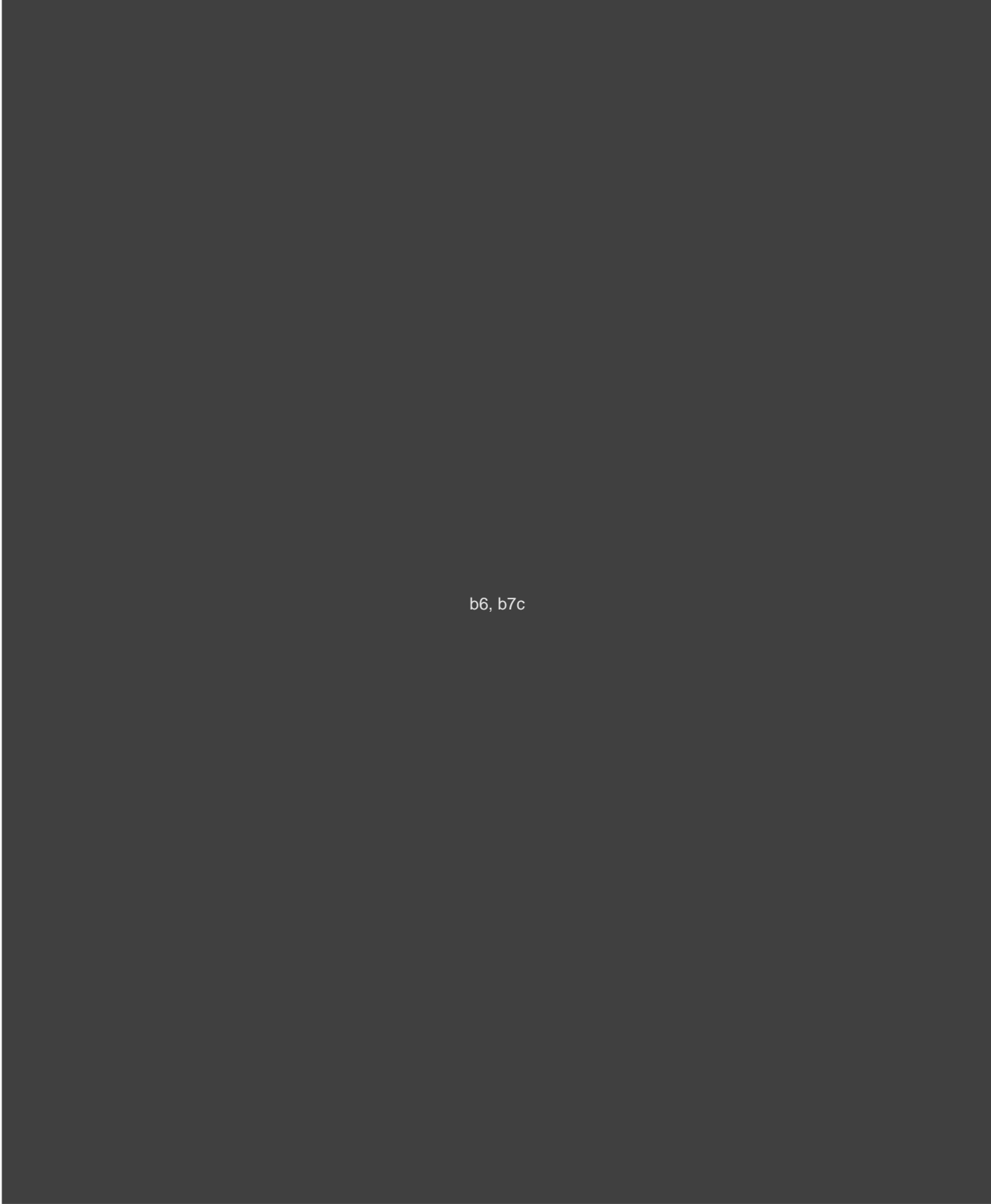
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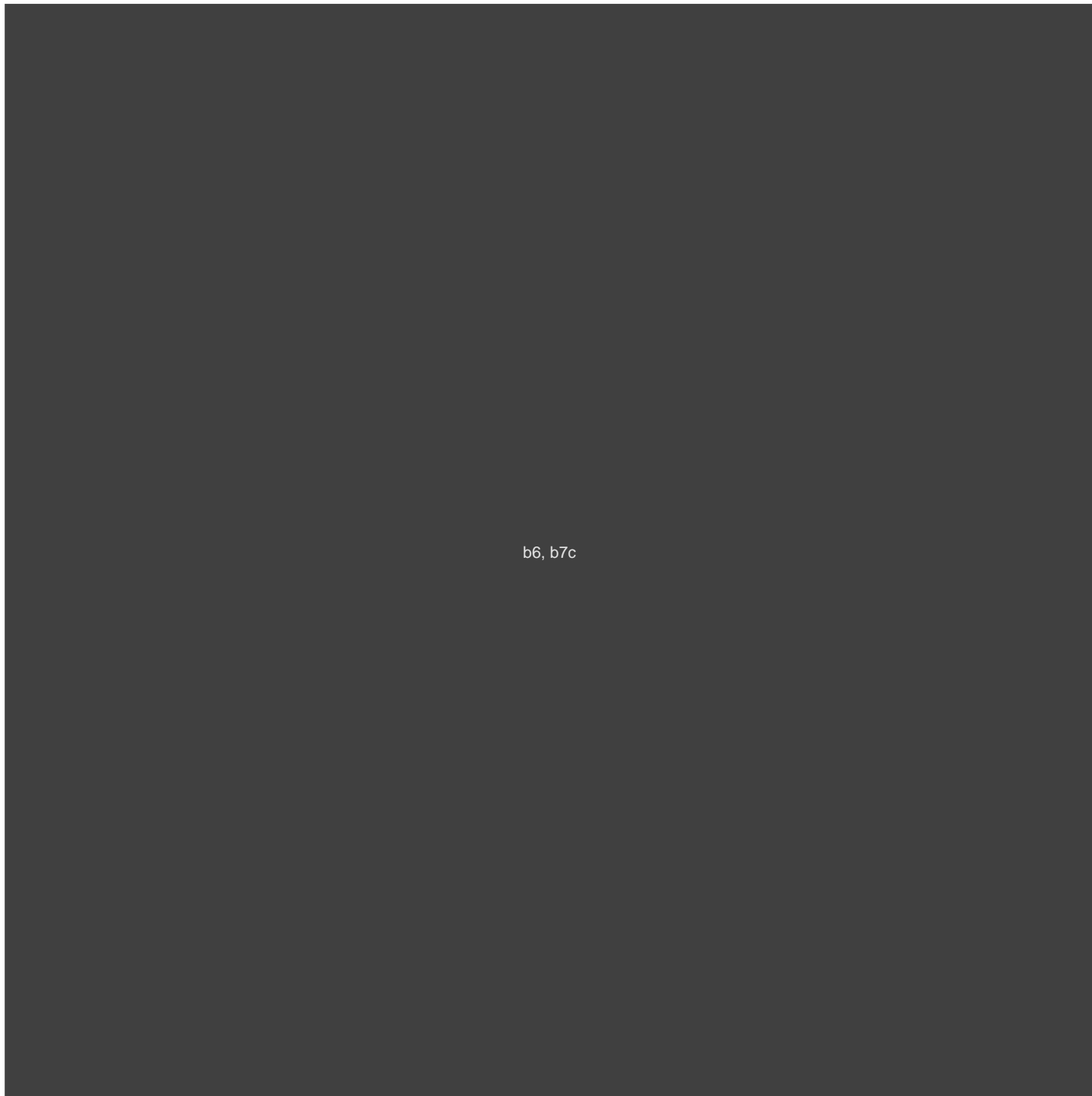
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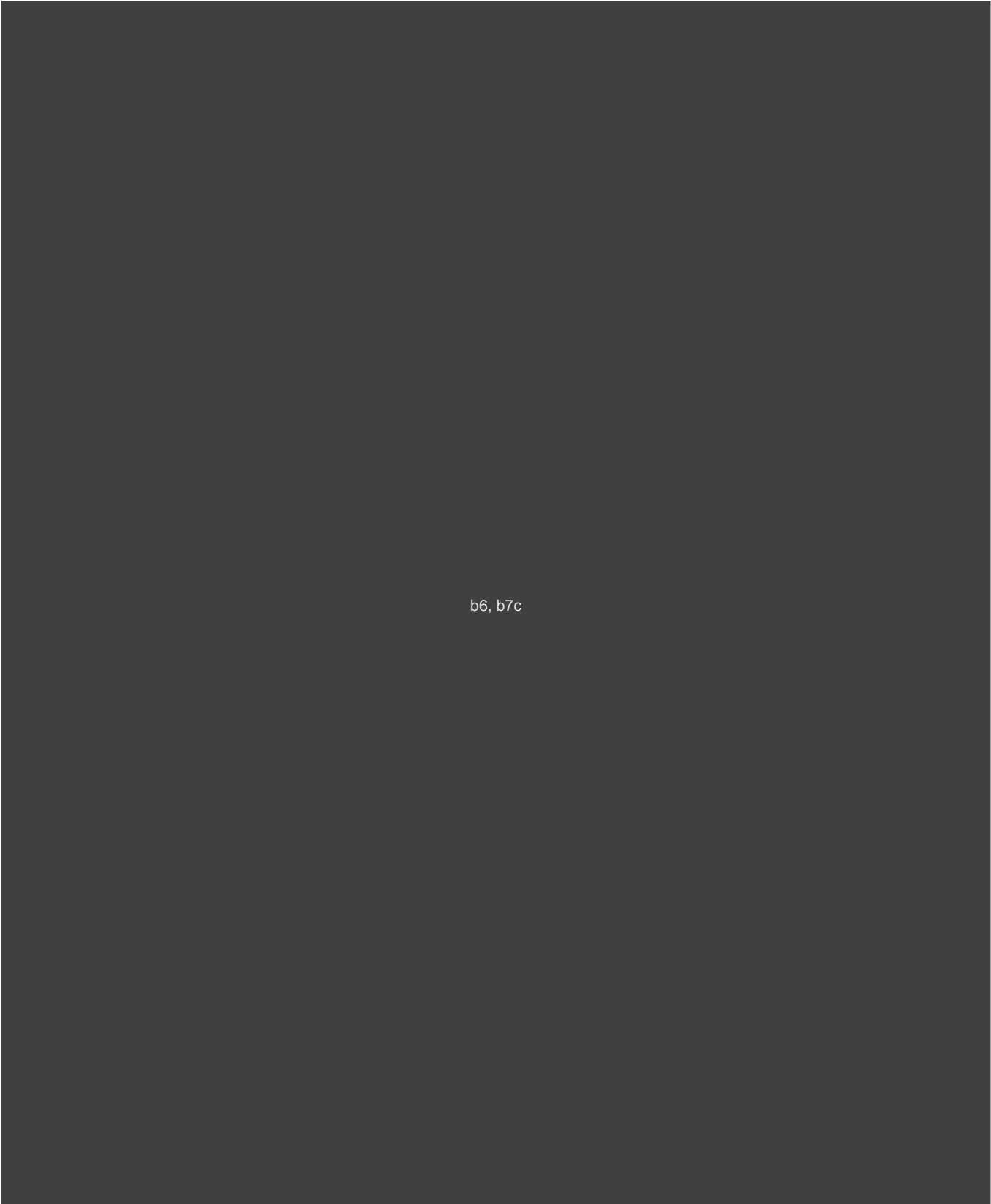
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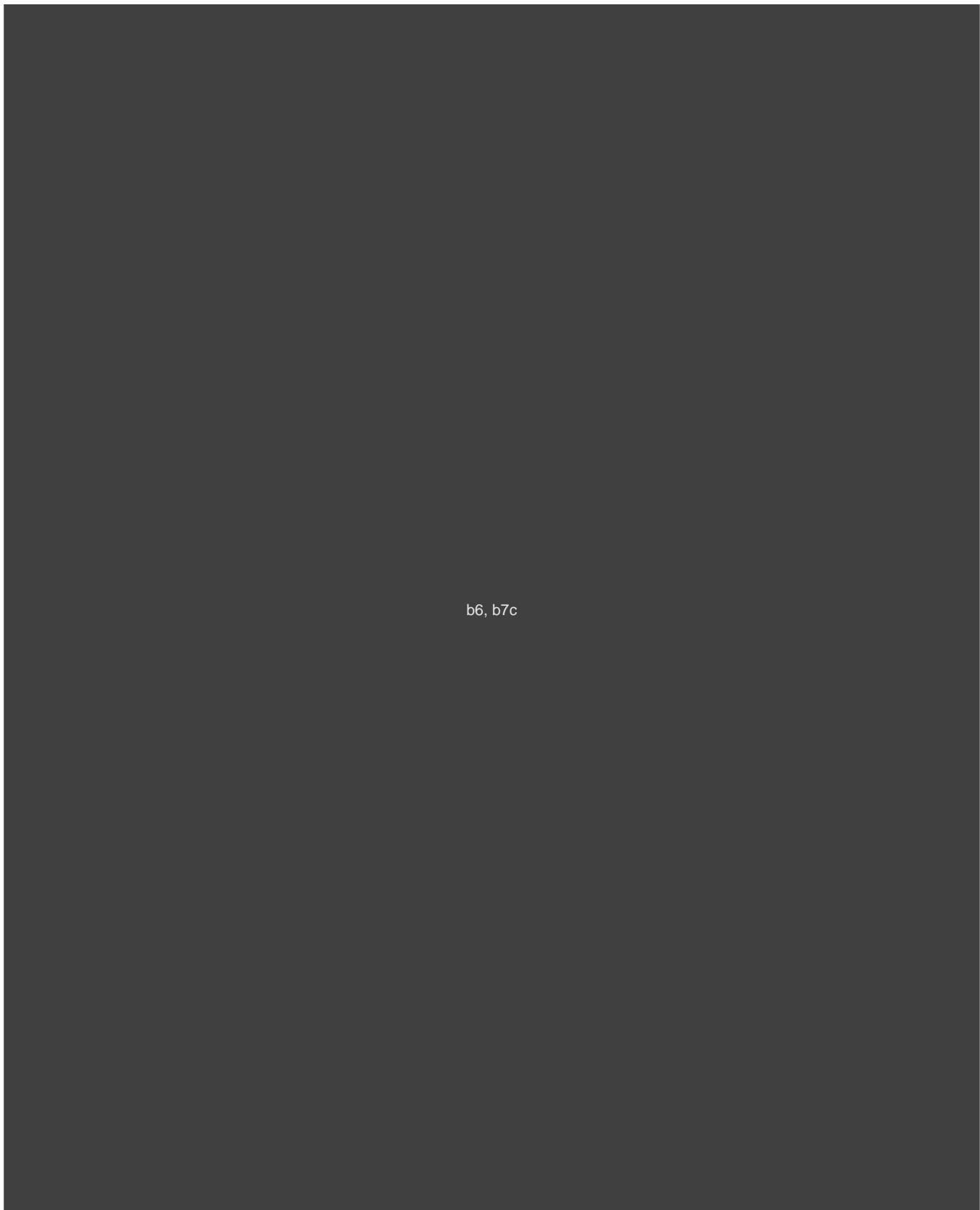
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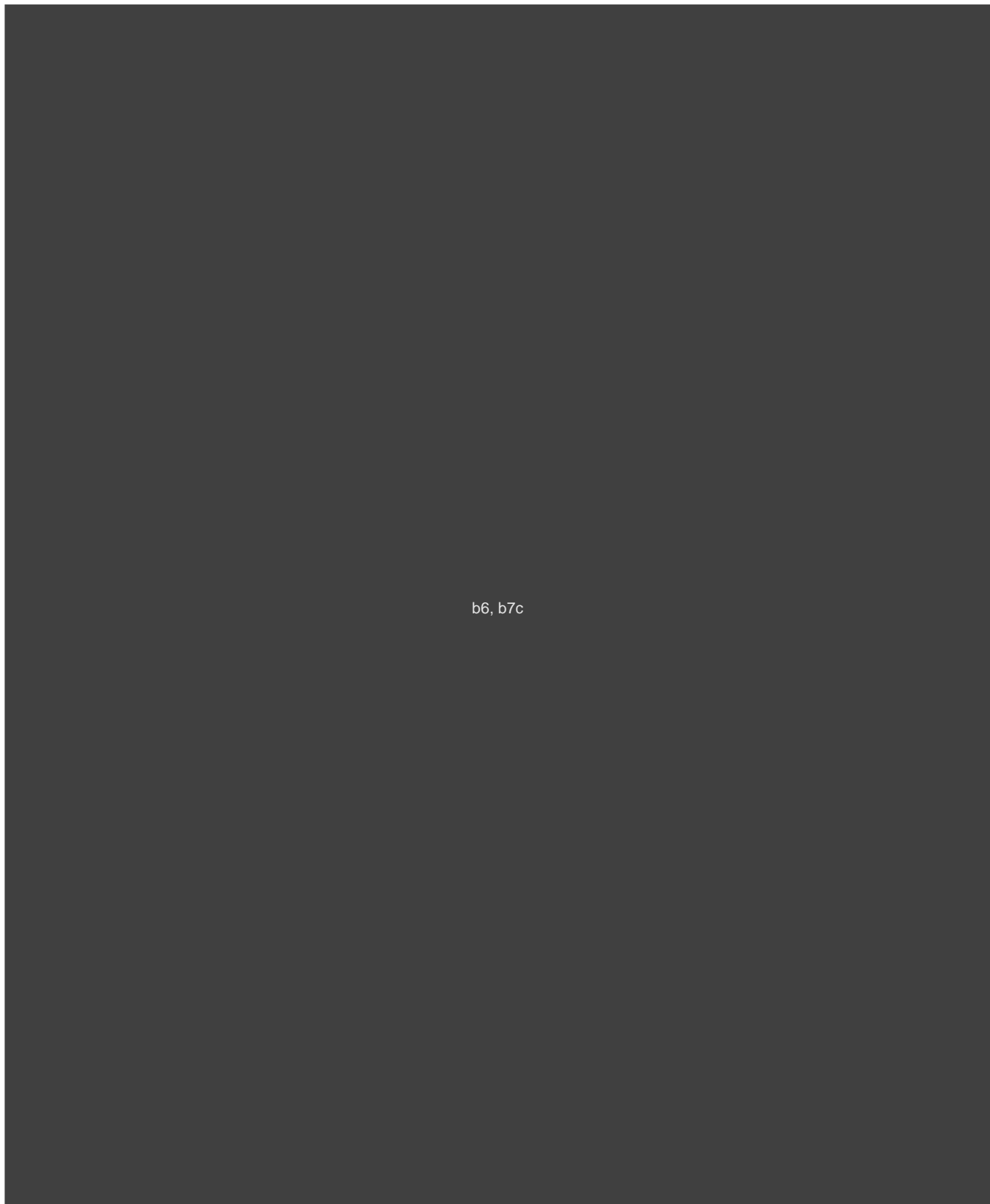
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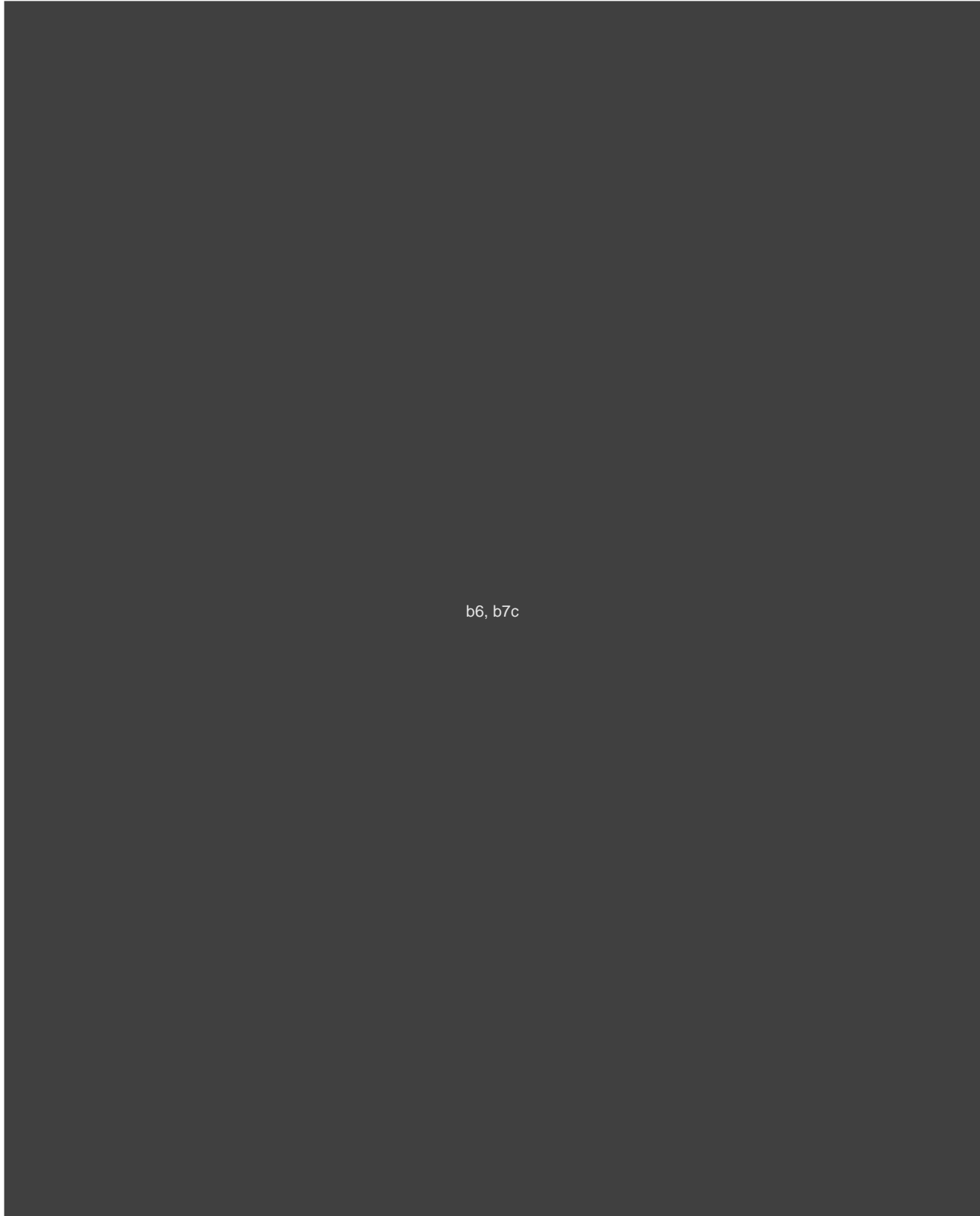
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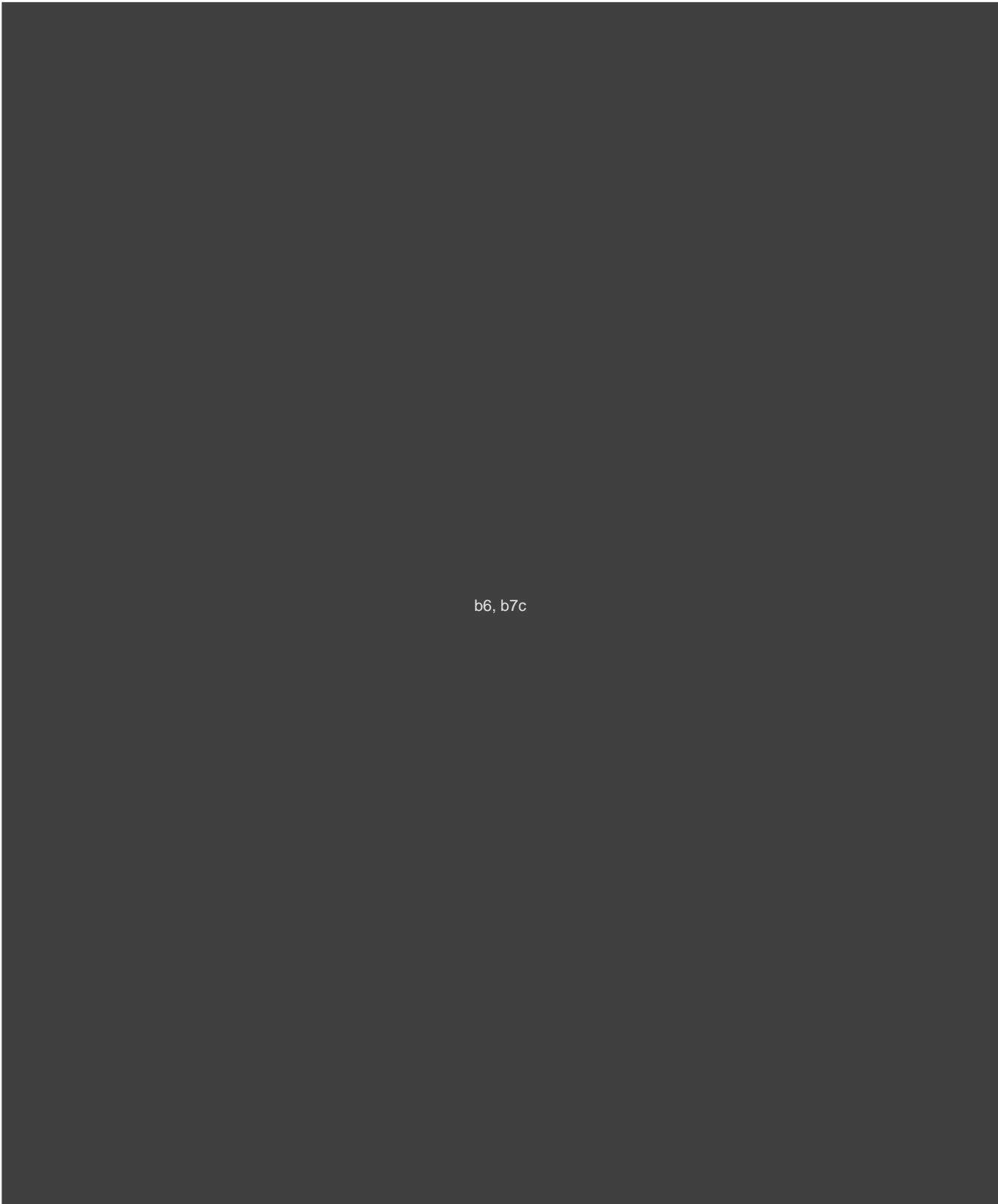
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Case [redacted] b6, b7c

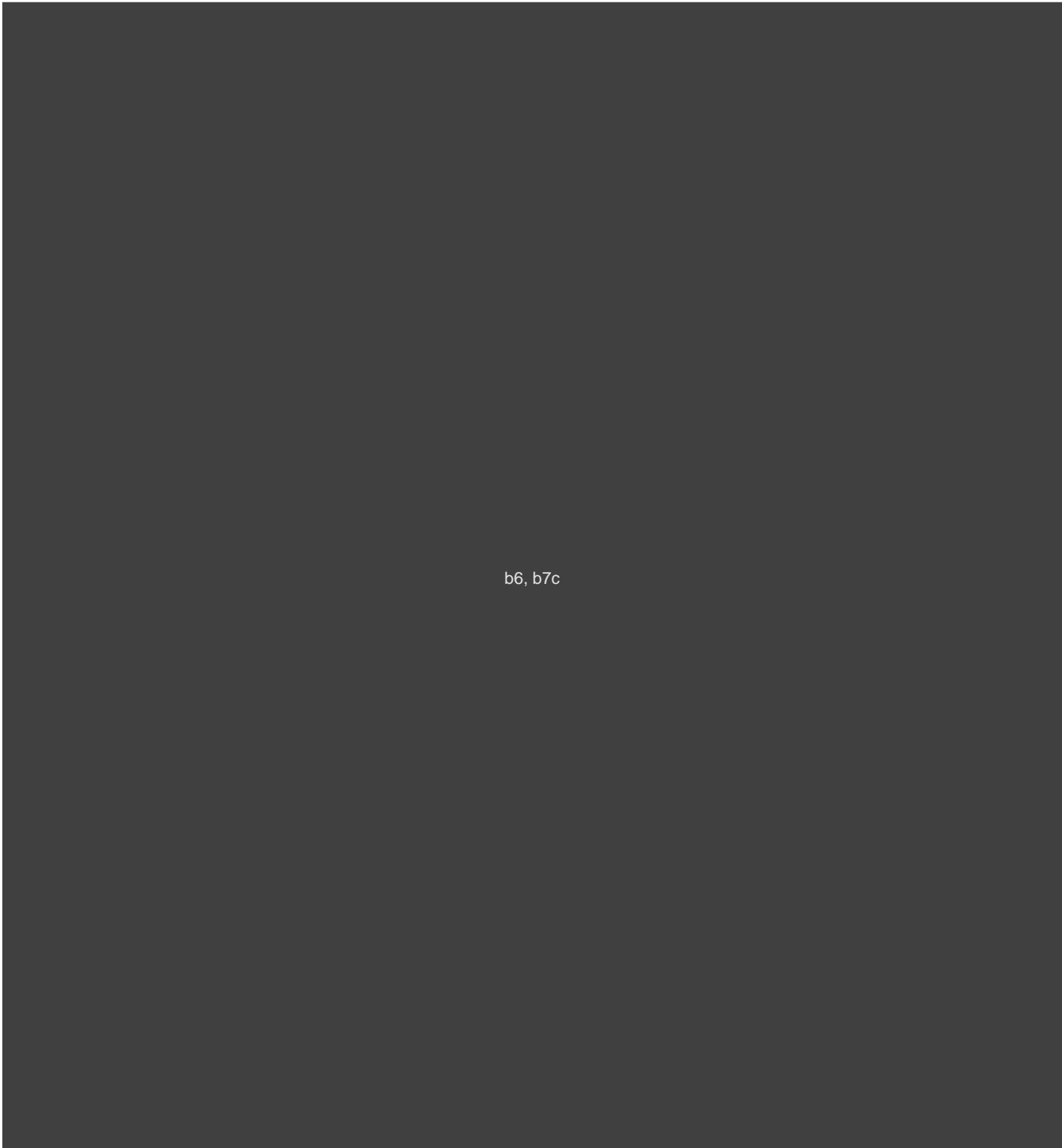
Document 665 Filed 10/08/10 Page 49 of 64



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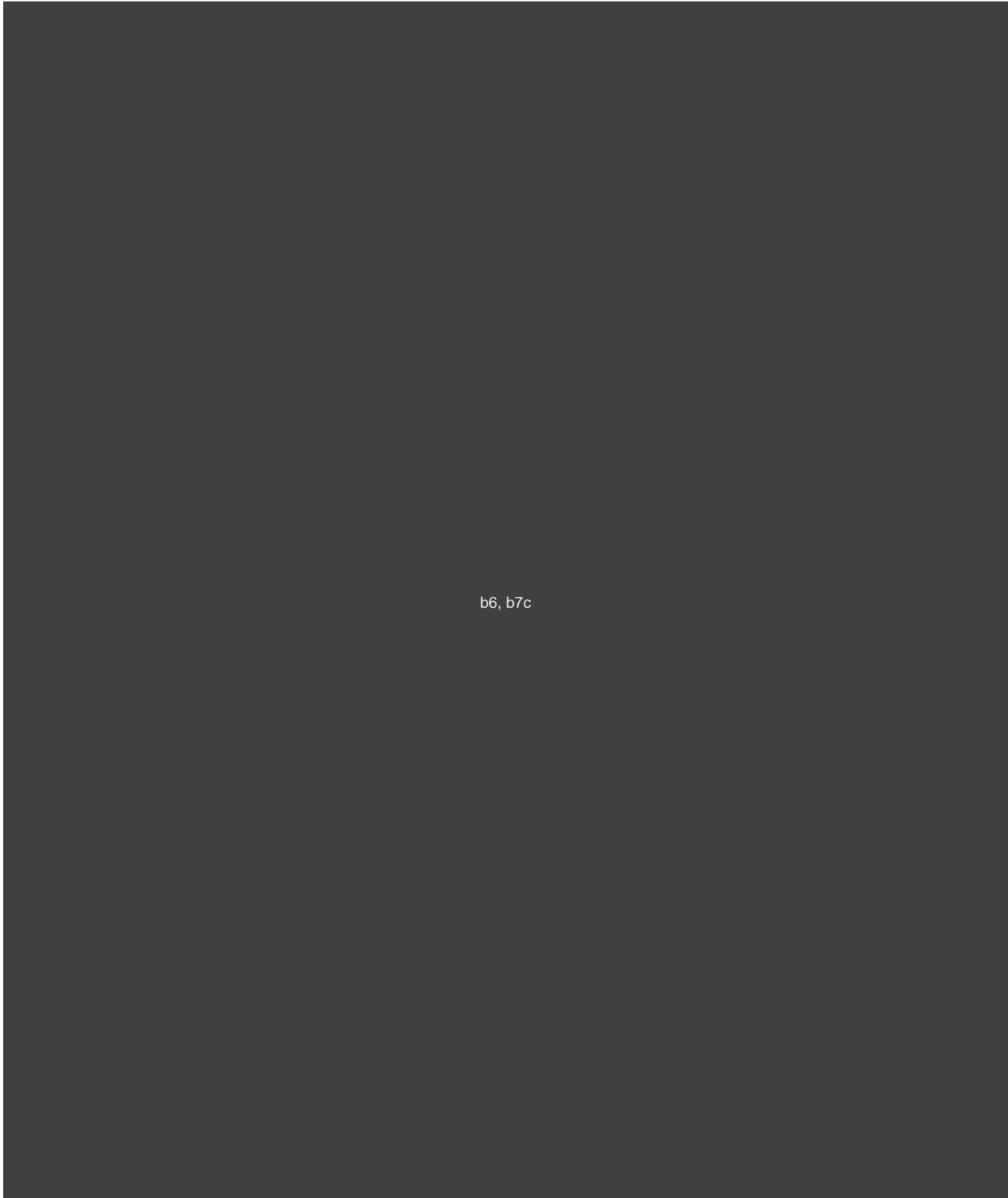
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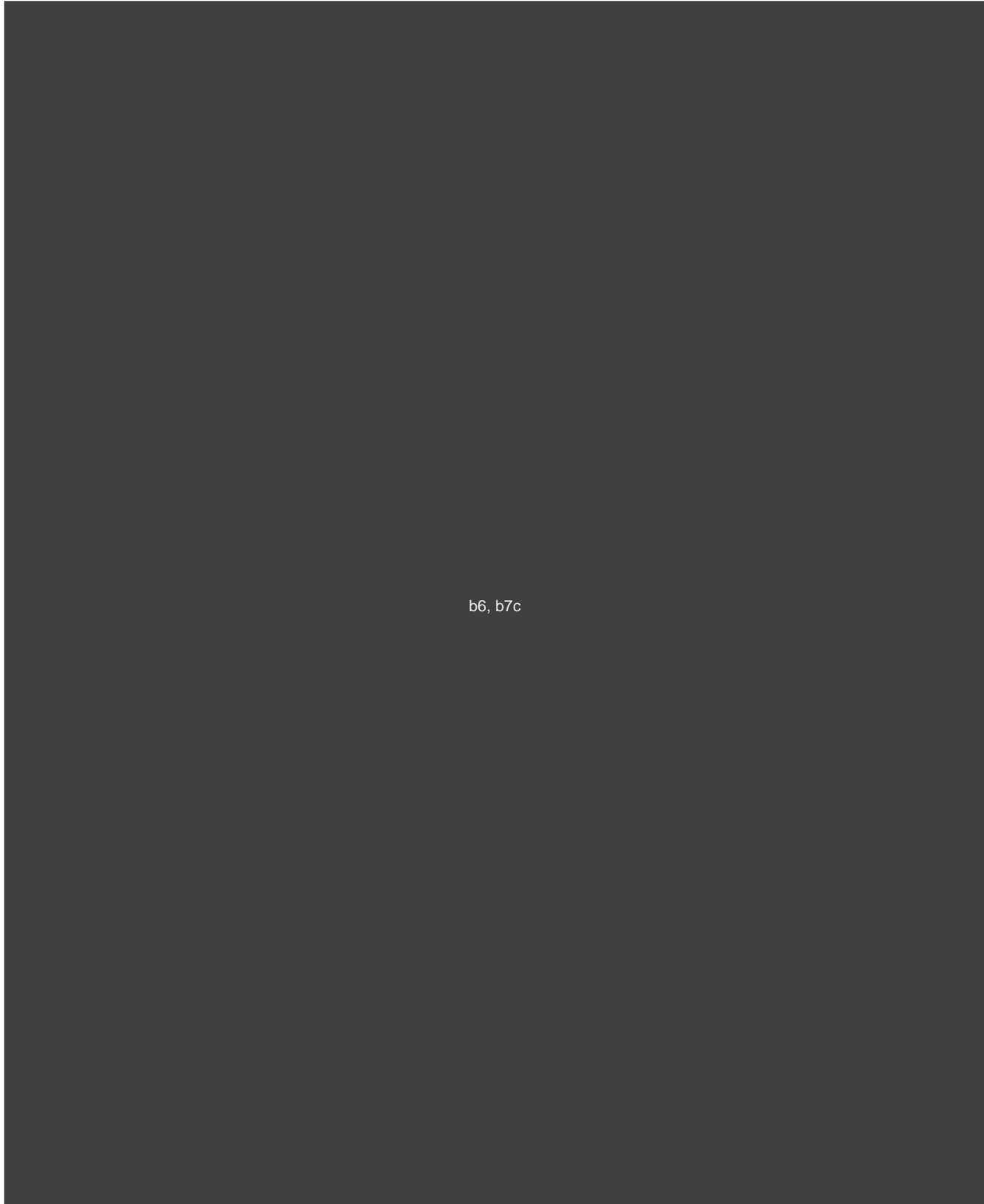
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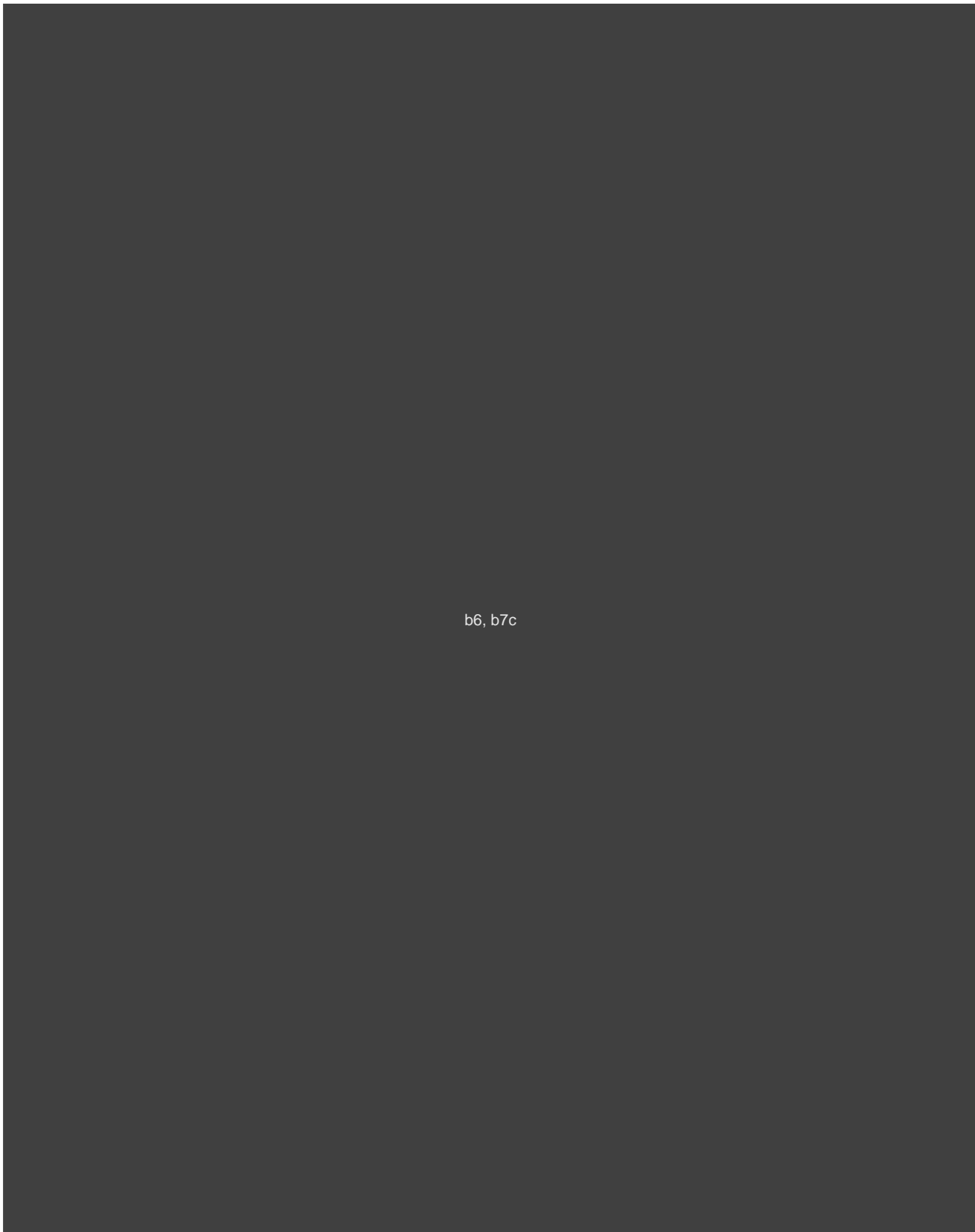
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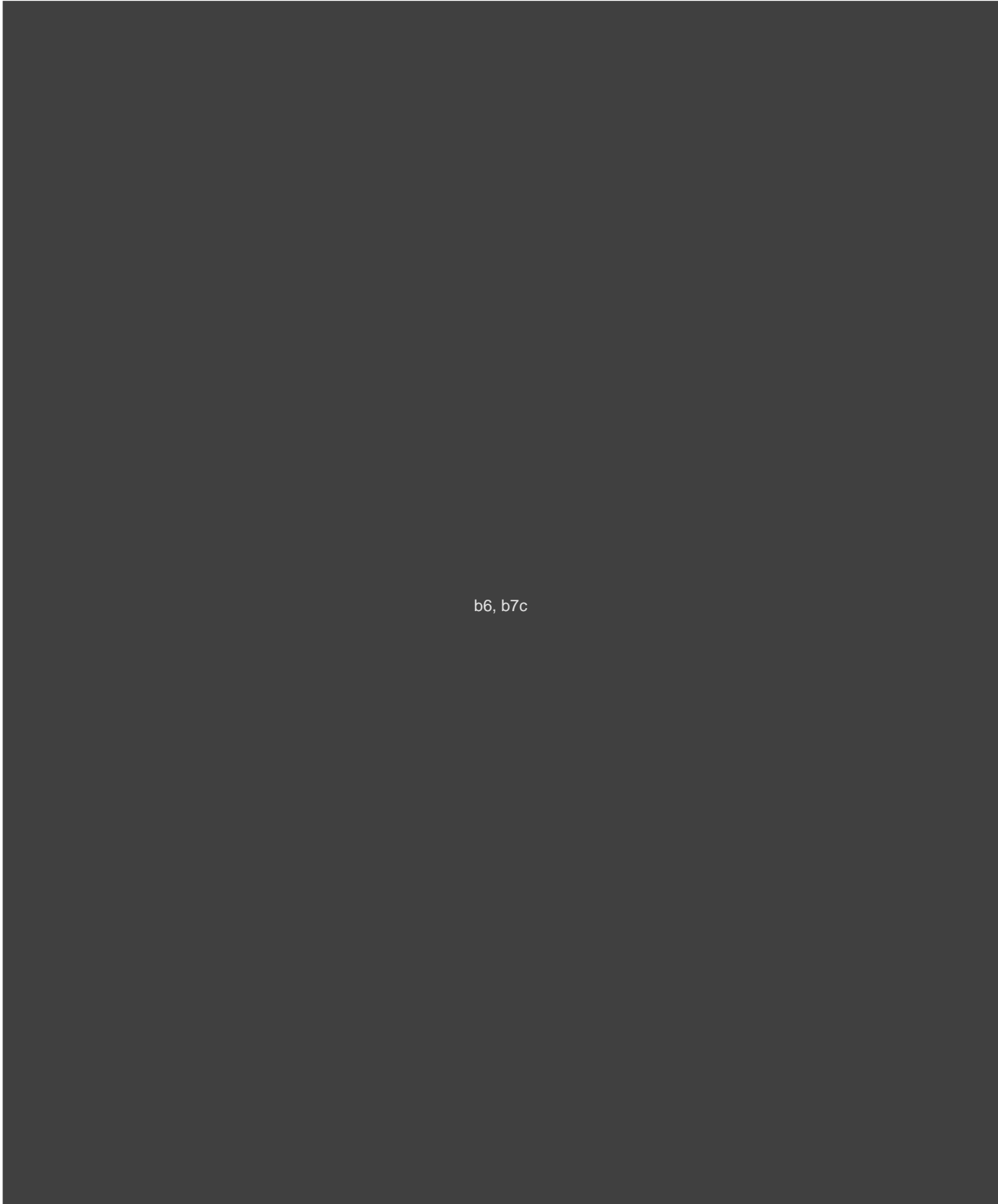
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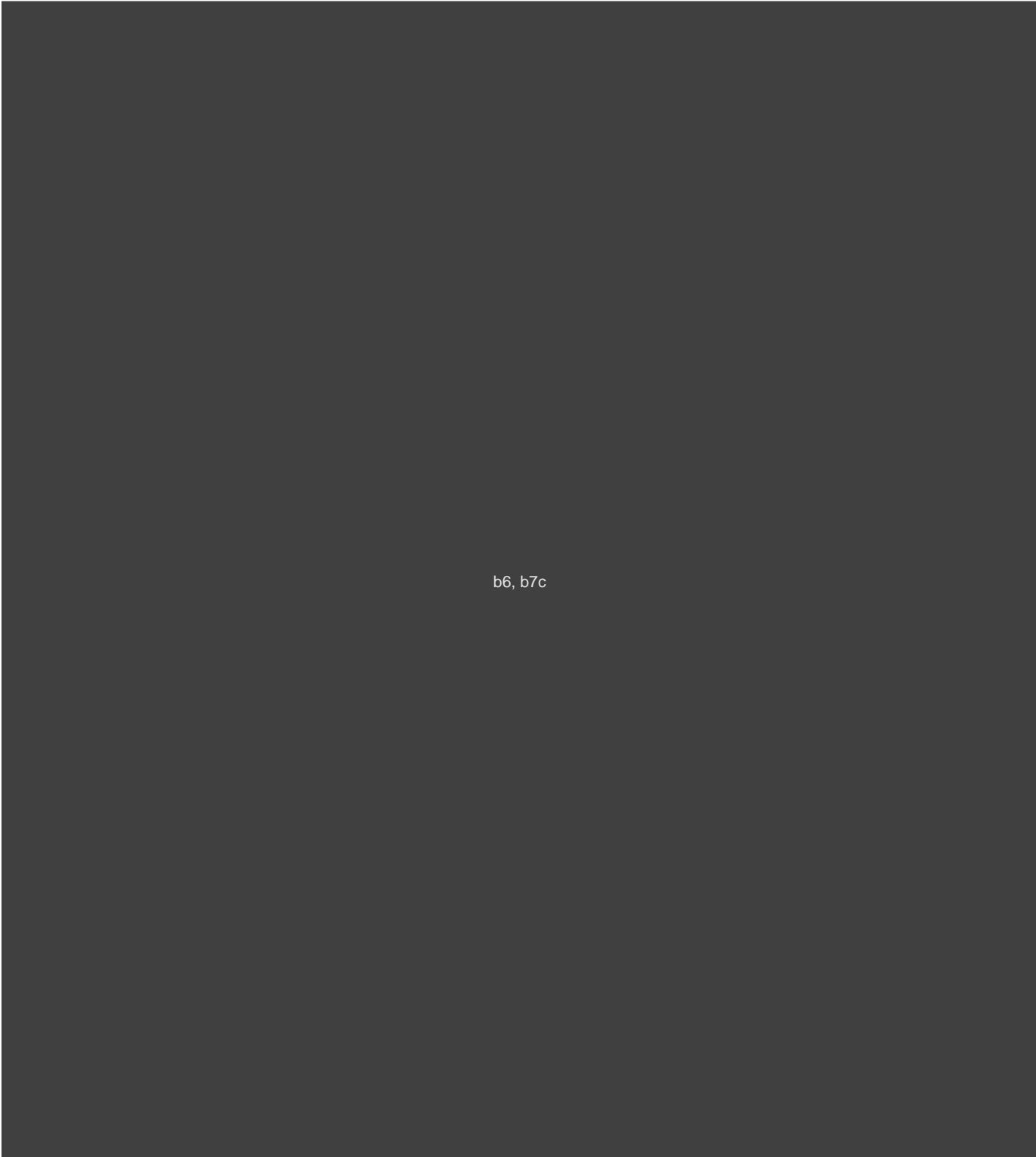
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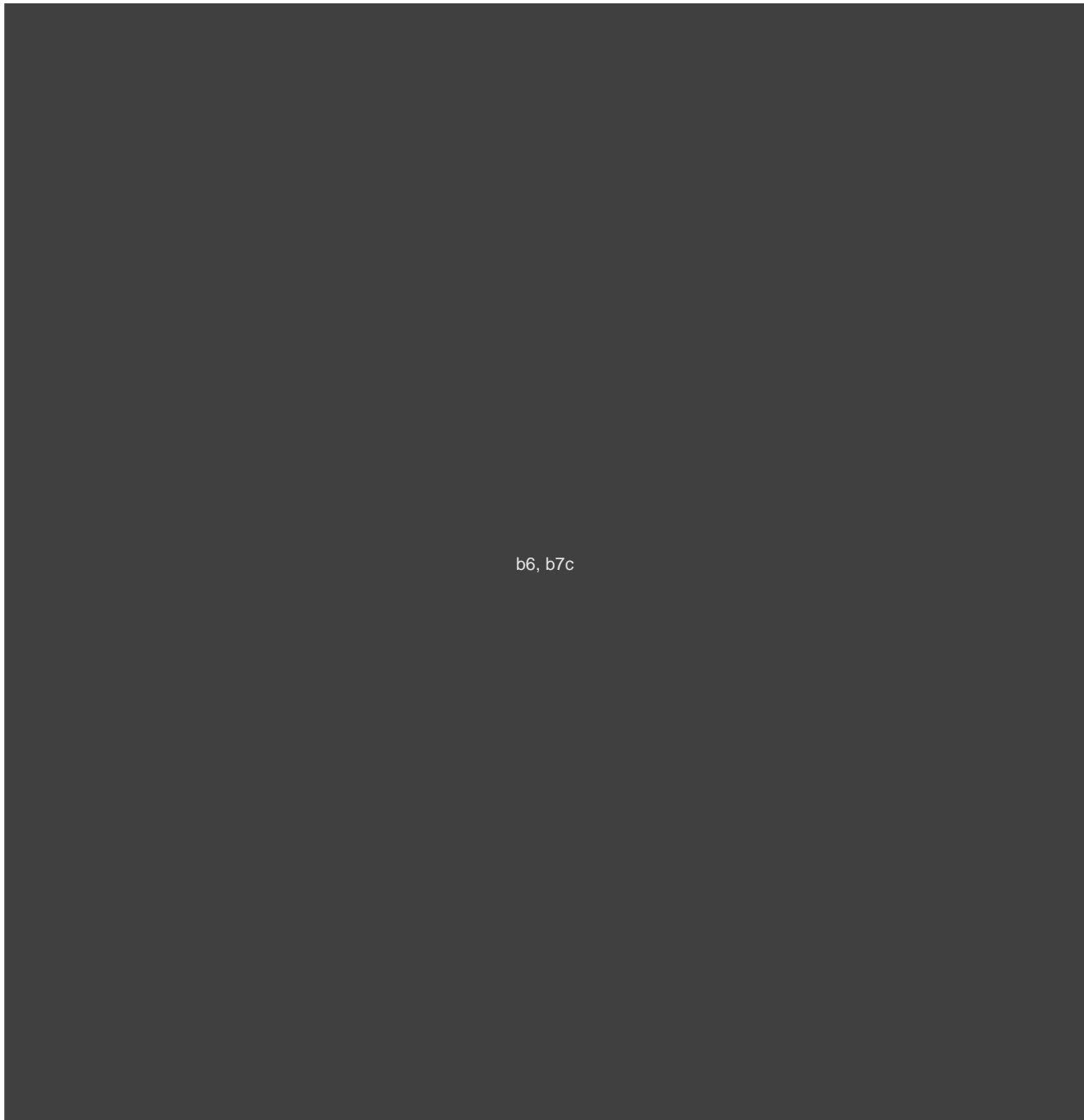
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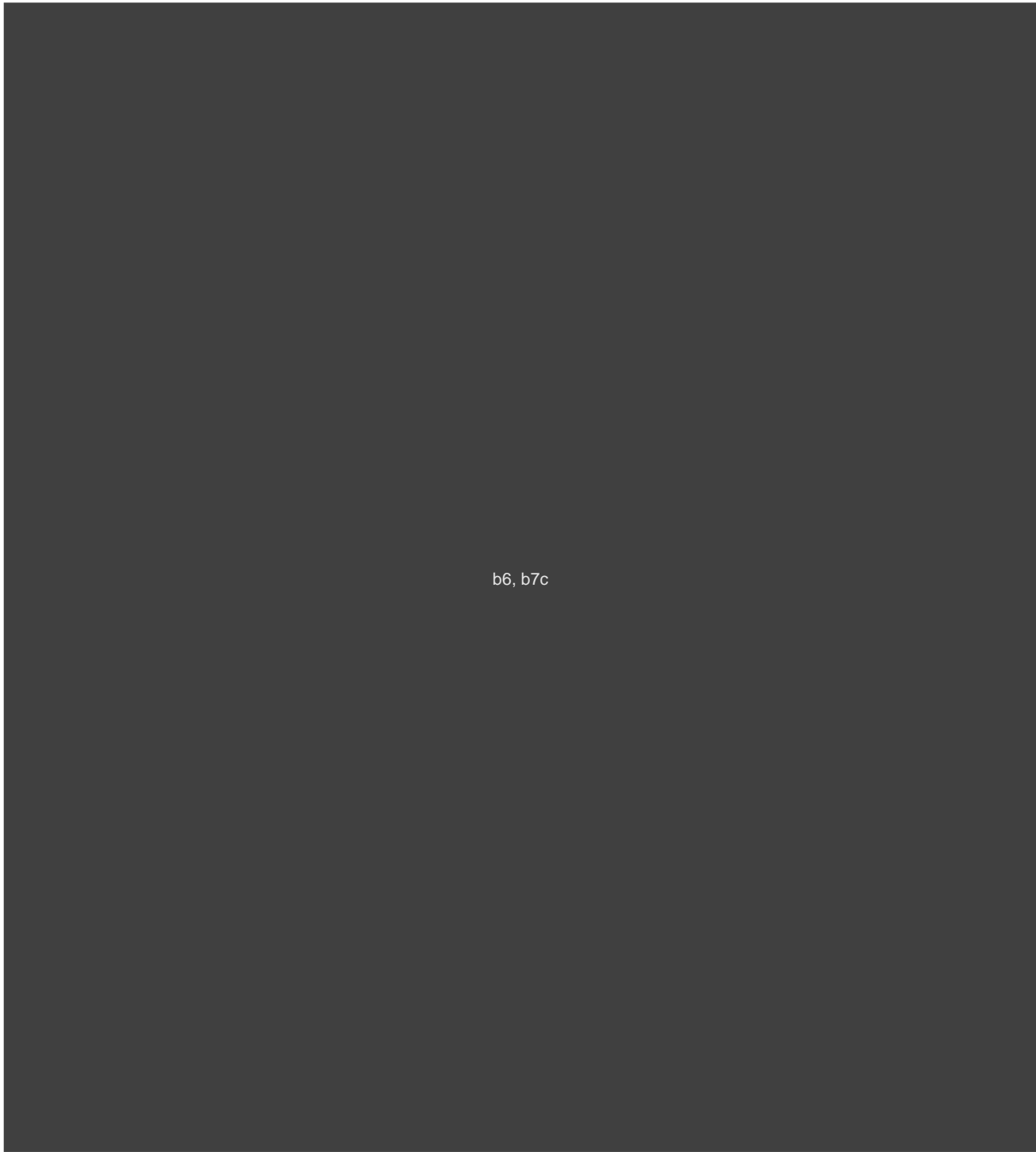
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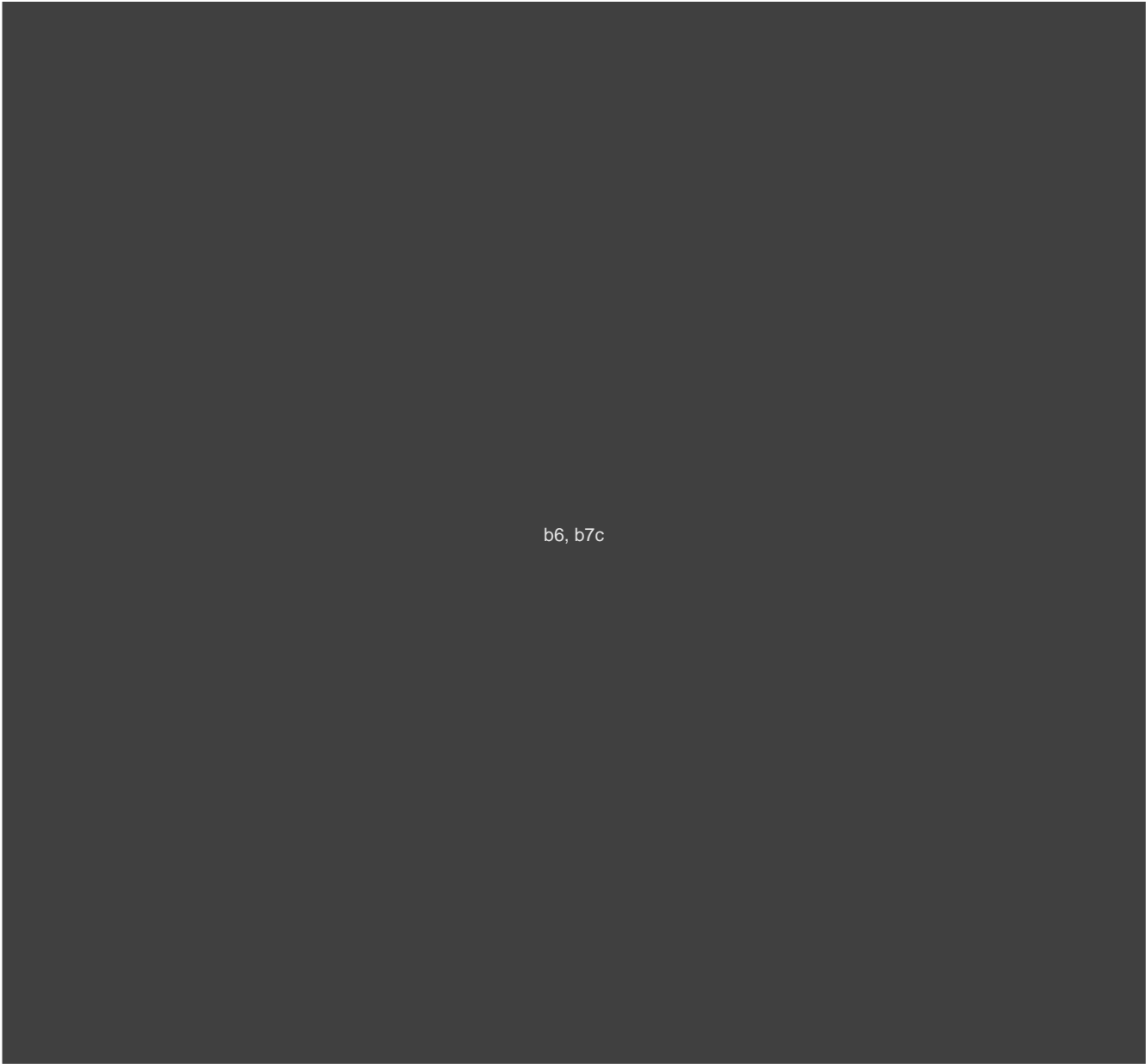
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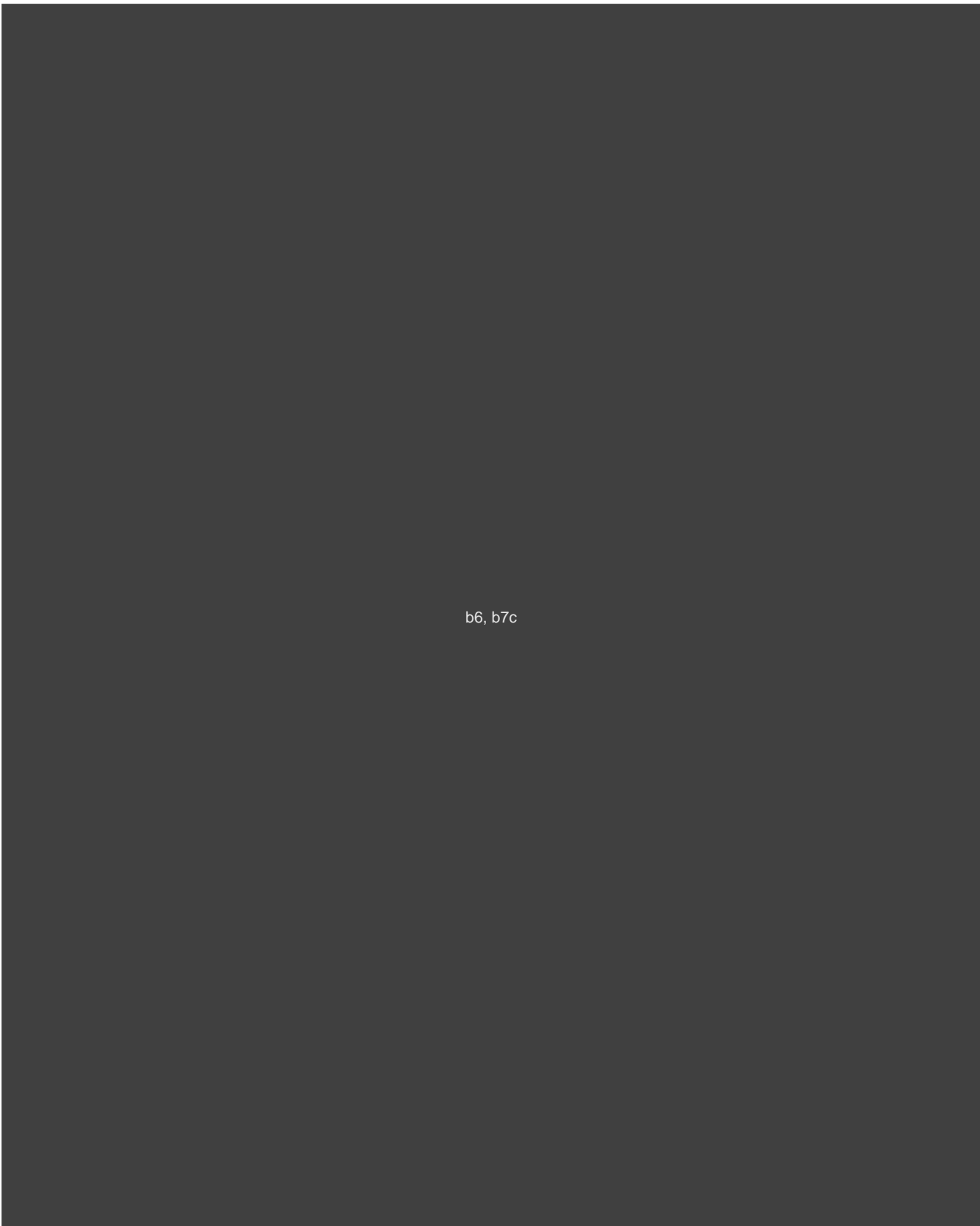
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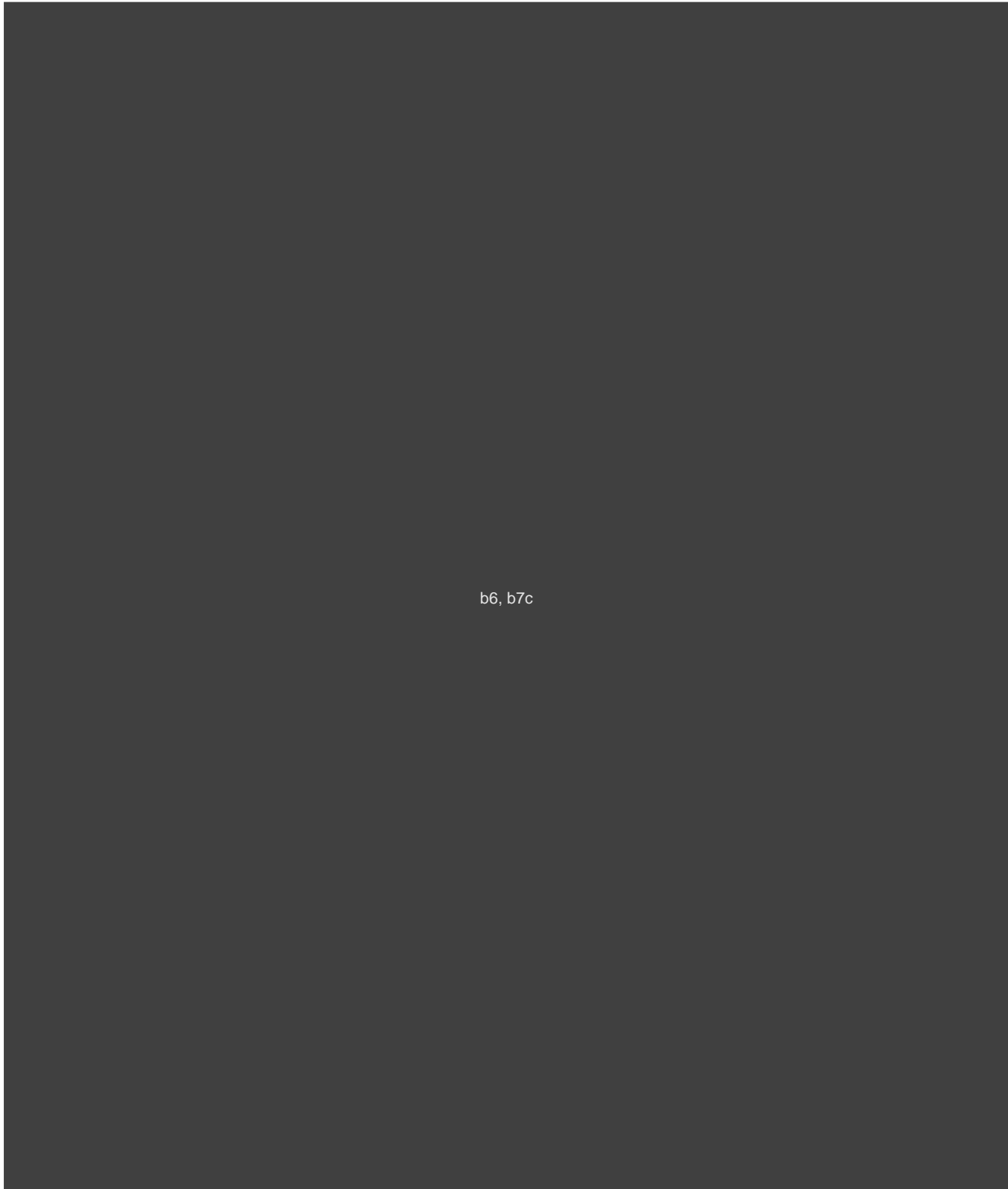
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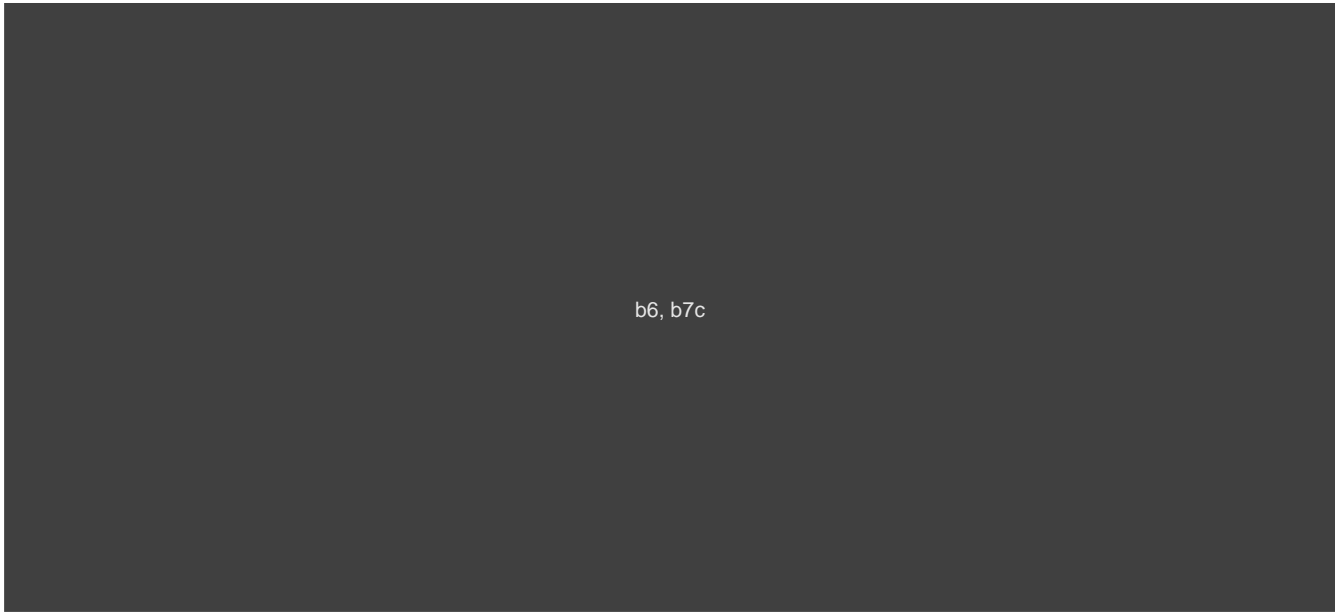
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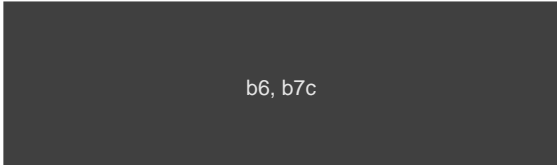
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b6, b7c

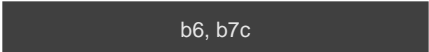


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b6, b7c

Marietta, Georgia 30067
(678) 368- b6, b7c
Fax: (678) 668-8041



b6, b7c

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700
Highway 60 NE, Worthington,
Minnesota, and all its
appurtenances, parking areas,
and outdoor working areas

Defendant.

CIVIL NO. 06mj457Jsm

APPLICATION FOR
WARRANT FOR ENTRY
ON PREMISES TO
SEARCH FOR ALIENS
WHO ARE IN THE UNITED
STATES WITHOUT LEGAL
AUTHORITY

The United States of America, on the basis of the attached Affidavit of Special Agent Thomas M. Boyle, pursuant to the All Writs Act, Title 28 U.S.C. § 1651(a), and on the basis of the Memorandum of Point and Authorities attached hereto, requests this Court to authorize officers of U.S. Immigration and Customs Enforcement (ICE) to enter the building and areas on the premises described above for the purpose of making such search of the premises as is necessary to locate aliens who are present in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).

The entry and search will be conducted in accordance with the guidelines of applicable Court decisions and policy guidance of ICE.

Dated: December 7, 2006

RACHEL K. PAULOSE
United States Attorney

b6, b7c

BY: [REDACTED] b6, b7c
Assistant U.S. Attorney
Attorney ID Number 151506

MEMORANDUM OF POINTS AND AUTHORITIES

The Immigration and Nationality Act ("The Act"), 8 U.S.C. § 1101 et. seq., was passed by Congress as a means to restrict illegal immigration into the United States. The Act grants agents of the U.S. Immigration and Customs Enforcement (ICE) general powers to investigate violation of immigration laws.¹ Those powers include the authority to question aliens concerning their status and to arrest without a warrant aliens illegally in the United States. 8 U.S.C. § 1357.

In addition, the Supreme Court has recognized the need for vigorous enforcement of immigration laws and has sought to strike a balance between that need and individual rights. United States

¹ The Homeland Security Act of 2002, Pub.L.No. 107-296 §§ 441, 451, 471; 116 Stat. 2135, 2136-2137 (2002), abolished the Immigration and Naturalization Service (INS) and transferred responsibility for immigration enforcement to the Department of Homeland Security.

v. Martinez-Fuerte. 428 U.S. 543 (1976); and United States v. Brignoni-Ponce. 422 U.S. 873 (1975).

Upon proper application, the United States may obtain judicial process to search for illegal aliens. Almeida-Sanchez v. U.S., 413 U.S. 266, 274-5 (1973). In his concurring opinion, Justice Powell indicated that a showing of probable cause may enable immigration agents to obtain a warrant to assist an investigation in which the immigration agents uses their statutory authority to question and detain aliens. Id. at 282-85.

The use of civil orders to authorize the entry upon premises where illegal aliens are believed to be present and to permit their questioning and arrest, where appropriate, was expressly sanctioned by the landmark decision in Blackie's House of Beef, Inc. v. Castillo, 569 F.2d 1211, 1219-1227 (D.C. Cir. 1981), cert. denied 455 U.S. 940 (1982).

The Blackie's court ruled that since an immigration search is conducted pursuant to a civil administrative mandate, the warrant issued to permit such a search is properly evaluated under the probable cause standard, but the "particularity" requirement is significantly less stringent than that required for traditional criminal warrants. Id. at 1219. Accord, Kotler Industries v. U.S., 586 F.Supp. 72, 75 (N.D. Ill. 1984) ("INS may obtain a search warrant by satisfying a more flexible standard of probable cause than that traditionally applied in criminal cases.").

While the warrant in Blackie's did not specifically name any of the suspected illegal aliens to be questioned, the court found that it was as descriptive as was reasonably possible with respect to the persons sought ("aliens in the United States without legal authority,"); the place to be searched (premises named by a street address); the time within which the search might take place (daylight hours within ten days of the date of the order); and it restricted immigration agents to search only where aliens were likely to be hiding. Id. at 1214, 1226. Further, the affidavits supporting the application for the warrant gave credible reasons for the affiants' suspicions that the persons sought on the premises were possibly illegal aliens. Id. at 1226.

In upholding the Blackie's warrant as "reasonable" within the meaning of the Fourth Amendment, the court held that the warrant need not specifically name the suspected illegal aliens as long as the warrant and accompanying affidavits narrowed down the field of potentially vulnerable persons to those whom Immigration agents might reasonably believe to be aliens. Id. at 1226; accord. Kotler. supra at 76. As such, Blackie's upheld the use of a civil order to gain entrance to premises to search for, question, and arrest unnamed aliens who were believed to be present on the premises. Blackie's at 1226.

The Ninth Circuit reached a similar conclusion in International Molders' and Allied Workers' Local Union No. 164 v.

Nelson, 799 F.2d 547 (9th Cir. 1986), where the panel stated:

We have held that an application for a search warrant 'must have sufficient specificity to enable the judge to make an independent determination of whether probable cause exists and to prevent the agents from having uncontrolled discretion to rummage everywhere in search of seizable items once lawfully within the premises.'

Id. at 552; citing U.S. v. Condo, 782 F.2d 1502, 1505 (9th Cir. 1986) (emphasis original). Further, the court in Molders' stated:

[t]he requirement "to identify the suspect(s) by name" or to provide "enough specific identifying information to assure that the search for that person is reasonably likely to result in finding that person" imposes an unreasonable and impractical burden on the INS. We agree (with the Blackie's court) that "warrants and accompanying affidavits that narrow down the field of potentially vulnerable persons to those employees whom INS agents might reasonably believe to be aliens...satisfy the requirements of the Fourth Amendment even where the targeted persons are not identified by name."

Id. at 553. As such, and given that the accompanying affidavit in the present application credibly support the officer's belief that illegal aliens may be found on the premises specified, the warrant sought is sufficiently specific and is "reasonable" within the meaning of the Fourth Amendment.

For the foregoing reasons, the applicants urge that the requested inspection warrant be issued.

Dated: December 7, 2006

RACHEL K. PAULOSE
United States Attorney

[Redacted]

b6, b7c

BY: [Redacted]

b6, b7c

Assistant U.S. Attorney
Attorney ID Number 151506

From: [REDACTED] b6, b7c
Sent: Tuesday, March 31, 2009 7:27 PM
To: [REDACTED] b6, b7c
[REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
[REDACTED] b6, b7c
Subject: (b)(6), (b)(7)(C) dismissed with prejudice

Importance: High

Attachments: 090327_order granting mtd-.pdf

For those of you who have not yet heard, the good guys scored a major win this morning with the dismissal of one of our top-five Hot Lit cases attacking the lawfulness of a worksite enforcement operation in Minnesota. Former A/S Myers, Deputy A/S Torres, the local FOD, and over 100 potential ICE defendants were sued. I'm forwarding the court's opinion, as it contains some language could be of great use in such coming attractions as [REDACTED] b6, b7c claims, among others. Please also note that the decision cites Pearson v. Callahan, the new S.Ct. case on qualified immunity, to reach the issue of "clearly established" first to kill the Bivens case without analyzing the question of whether a constitutional right was even violated (as [REDACTED] b6, b7c pointed out, the judges obviously read my OPLA bulletin entry – I mean, what other explanation could there possibly be?). This case is now completely and finally dead – we don't consider an appeal likely -- and if the opinion is published, it may be of great use to us in other future cases.

Some thanks and recognition are in order: first, to [REDACTED] b6, b7c of USAO, D. Minn. for his consistently outstanding advocacy on our behalf; to [REDACTED] b6, b7c and [REDACTED] b6, b7c in St. Paul for their great support and assistance; to [REDACTED] b6, b7c whose video presentation got this operation on track before it even began; and of course to [REDACTED] b6, b7c for their great work in supporting [REDACTED] b6, b7c and each other.

Again, thank you for your great work that contributed to an excellent result in an important case.

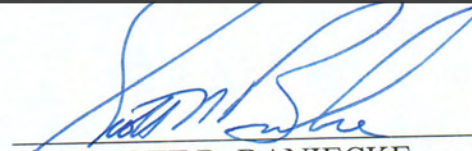
[REDACTED] b6, b7c
Deputy Chief
ICE OPLA CALD

b6, b7c

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b6, b7c

Executed on:



BY: SCOTT R. BANIECKE
Field Office Director
Detention and Removal Operations
St. Paul, Minnesota

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No [REDACTED] b6, b7c

[REDACTED] b6, b7c, et al.)
)
Plaintiffs,)
)
v.)
)
UNITED STATES DEPARTMENT OF)
HOMELAND SECURITY, et al.)
)
)
Defendants.)

**DECLARATION
OF JULIE L. MYERS**



b6, b7c, b5DP

II.



b6, b7c, b5DP

b6, b7c, b5DP

Comment: [redacted] Let's review [redacted] [redacted]

V.

b6, b7c, b5DP

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

BY: JULIE L. MYERS
Assistant Secretary
Department of Homeland Security
Immigration and Customs Enforcement

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. [REDACTED] b6, b7c

[REDACTED] b6, b7c et al.)
)
Plaintiffs,)
)
v.)
)
UNITED STATES DEPARTMENT OF)
HOMELAND SECURITY, et al.)
)
)
Defendants.)

**DECLARATION
OF JOHN P. TORRES**

[REDACTED]

b6, b7c, b5DP

II.



b6, b7c, b5DP

Comment b6, b7
b5DP

b5DP

Comment b6, b7 Let's discuss b6, b7c

|

V.



b6, b7c, b5DP

b6, b7c, b5DP

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Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

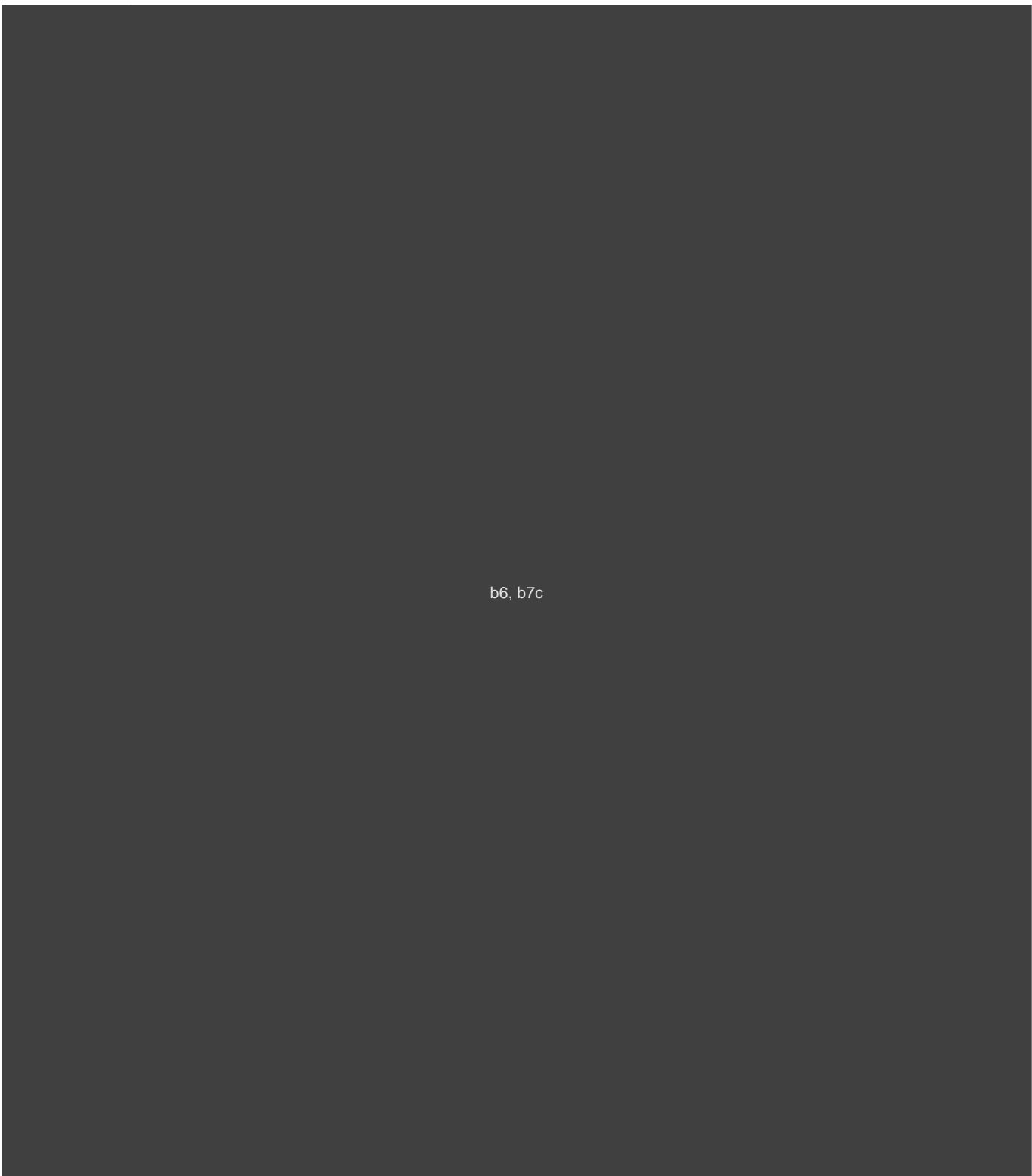
Executed on:

BY: JOHN P. TORRES
Deputy Assistant Secretary (Operations)
Immigration and Customs Enforcement
Department of Homeland Security

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)

ss. AFFIDAVIT OF

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Further the affiant sayeth not.

b6, b7c

THOMAS M. BOYLE
Special Agent, ICE

SUBSCRIBED and SWORN to before me
this 8th day of December, 2006.

Janie S. Mayeron
JANIE S. MAYERON
United States Magistrate Judge

ATTACHMENT A
LOCATION OF PROPERTY TO BE SEARCHED

The entire premises and vehicles within the cartilage located at Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, further described as:

Parcel Number 31-3787-000 and Parcel Number 31-3790-000 in the county of Nobles, in the state of Minnesota. A commercial industrial meat processing plant with one main building and several out buildings on the property.

Directly to the north of the facility is Interstate 90 and to the west of the facility is Highway 60. The facility has one main vehicle gate. A chain link fence surrounds the facility on three sides with barbed wire on top. Security personnel housed in an access control booth man the main gate.

ATTACHMENT B
DESCRIPTION OF ITEMS TO BE SEARCHED FOR

1. Aliens who are not lawfully entitled to reside within the United States who are employed at present within Swift & Company; and

2. Counterfeit, altered or imposter documents possesses and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift & Company.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700
Highway 60 NE, Worthington,
Minnesota, and all its
appurtenances, parking areas,
and outdoor working areas

Defendant.

CIVIL NO. 06mj457 JSM

ORDER
FOR WARRANT FOR
ENTRY ON PREMISES TO
SEARCH FOR ALIENS
WHO ARE IN THE UNITED
STATES WITHOUT LEGAL
AUTHORITY

The United States of America, having filed an application to authorize officers of United States Immigration and Customs Enforcement to enter the building on the premises described above in order to search for persons who are aliens in the United States without legal authority, together with an Affidavit and memorandum of Points and Authorities in support of the application, and the Court finding on the basis of the affidavit that there is probable cause to believe that located within the business premises described above are persons who are aliens in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).

IT IS THEREFORE ORDERED that the officers of U.S. Immigration and Customs Enforcement are authorized to enter the building and

areas on the premises described herein and to make such search as is necessary to locate aliens present in the United States illegally and counterfeit, altered, or imposter documents possessed and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift, Inc. (See Attachment B). In making this search, the agents of ICE are authorized to enter any locked room on the premises in order to locate persons who may be such aliens in the United States without legal authority and, if any such persons are found on the premises, to exercise their authority pursuant to section 287 of the Immigration and Nationality Act, 8 U.S.C. § 1357, to question them to determine whether they are such aliens and, if there is probable cause to believe they are such aliens, to arrest them.

IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006


JANIE S. MAYERON
United States Magistrate Judge

ATTACHMENT A
LOCATION OF PROPERTY TO BE SEARCHED

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ATTACHMENT B
DESCRIPTION OF ITEMS TO BE SEARCHED FOR

1. Aliens who are not lawfully entitled to reside within the United States who are employed at present within Swift & Company; and

2. Counterfeit, altered or imposter documents possesses and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift & Company.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

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Dated: September 04, 2007

CENTROL LEGAL, INC.

b6, b7c

St. Paul, MN 55114
Telephone: 651-642-
Facsimile: 651-642-1875

b6, b7c

St. Paul, MN 55114
Telephone: 651-642-
Facsimile: 651-642-1875

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Minneapolis, MN 55402
Telephone: 612-632-**b6, b7c**
Facsimile: 612-632-4335

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Minneapolis, MN 55402
Telephone: 612-961-**b6, b7c**
Facsimile: 612-339-6686

b6, b7c

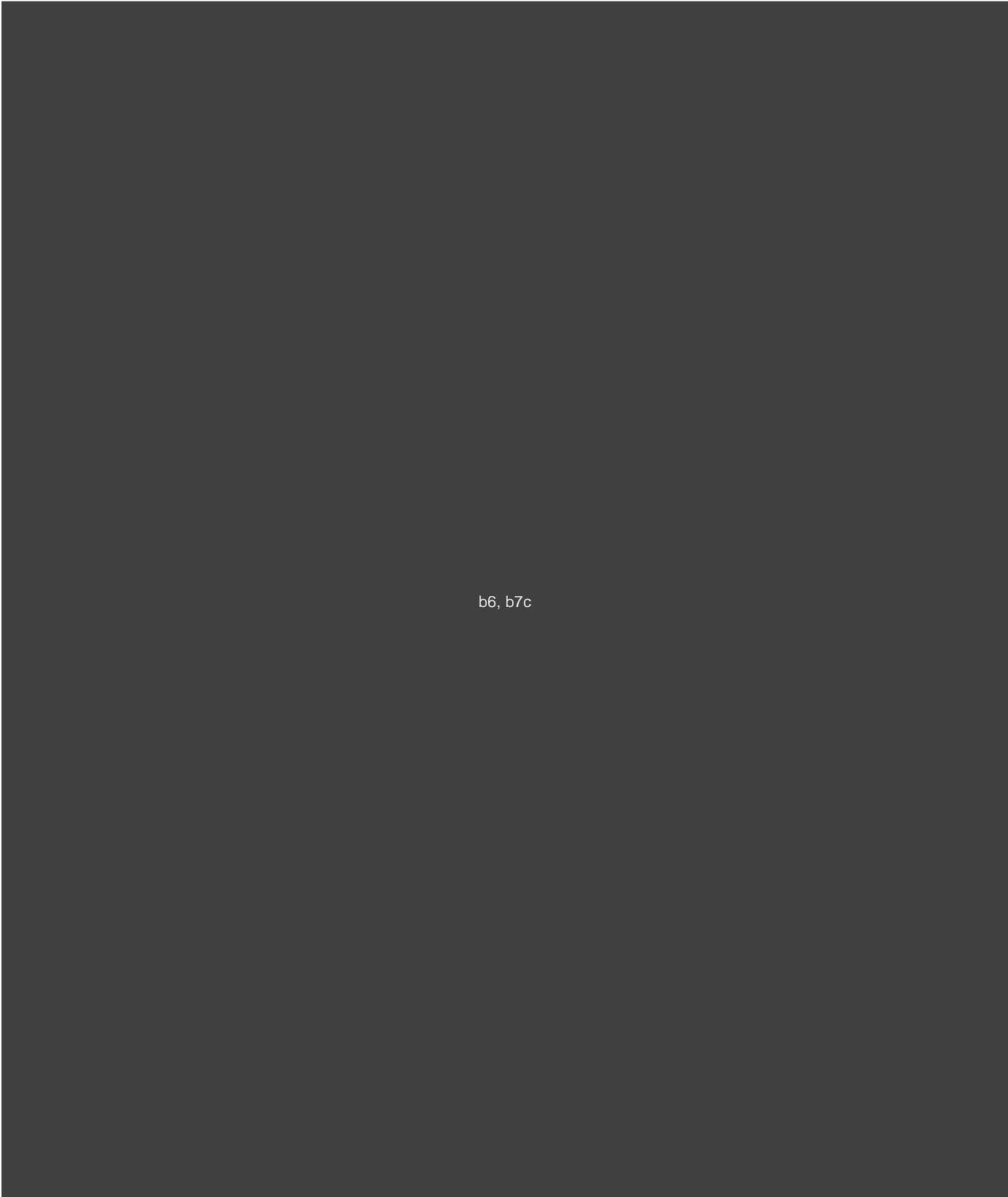
Minneapolis, MN 55405
Telephone: 612-870-**b6, b7c**
Facsimile: 612-870-7462

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

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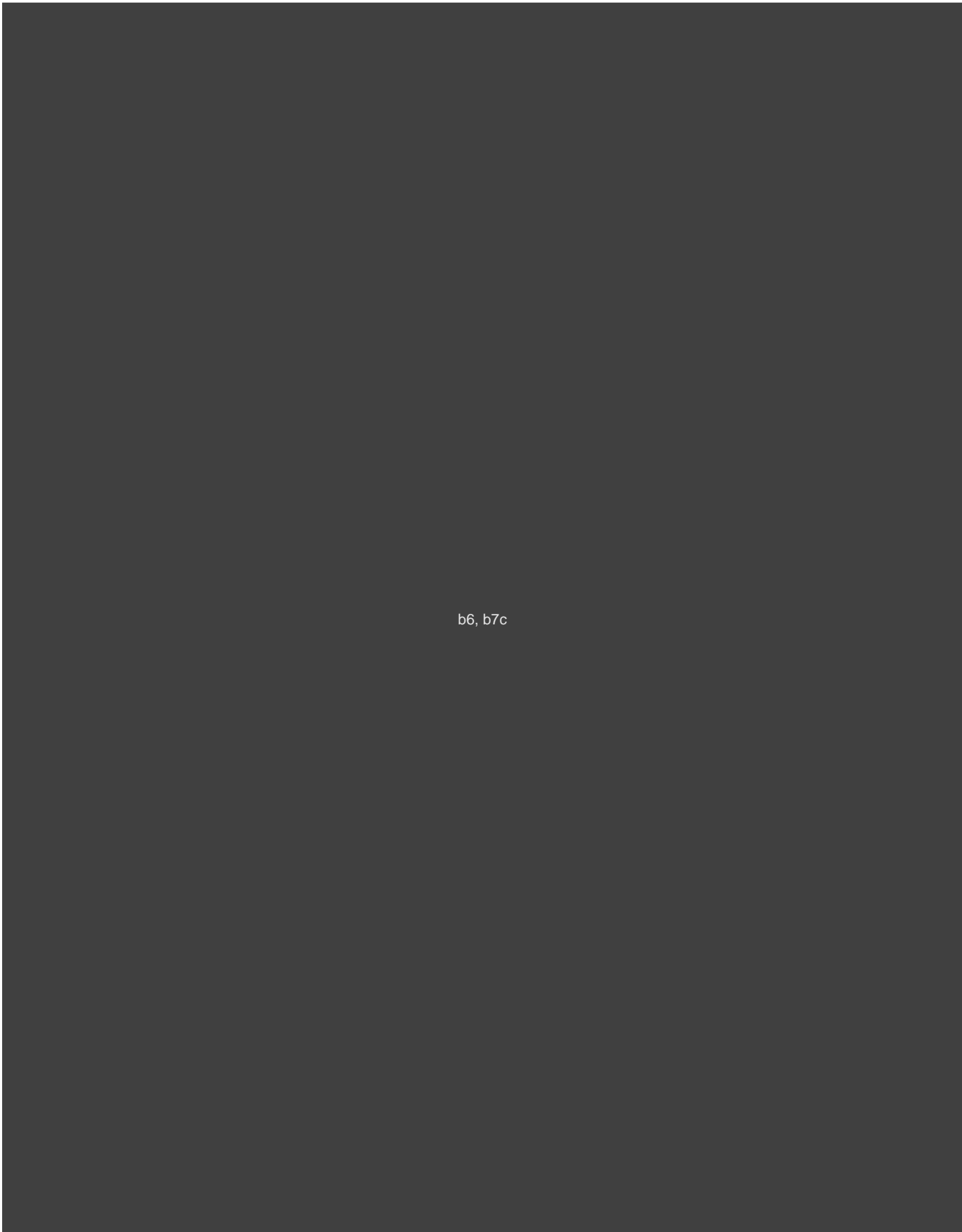
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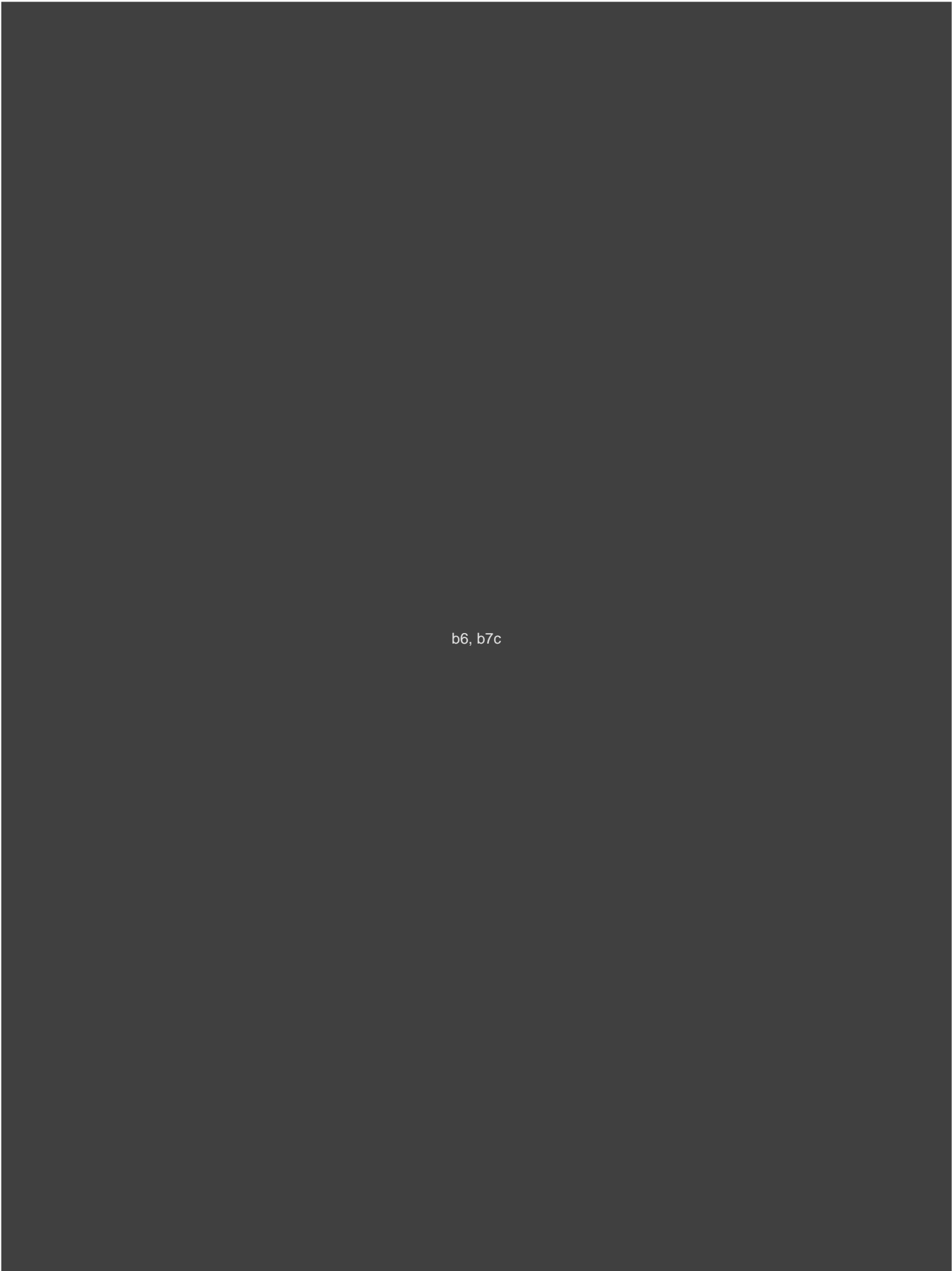
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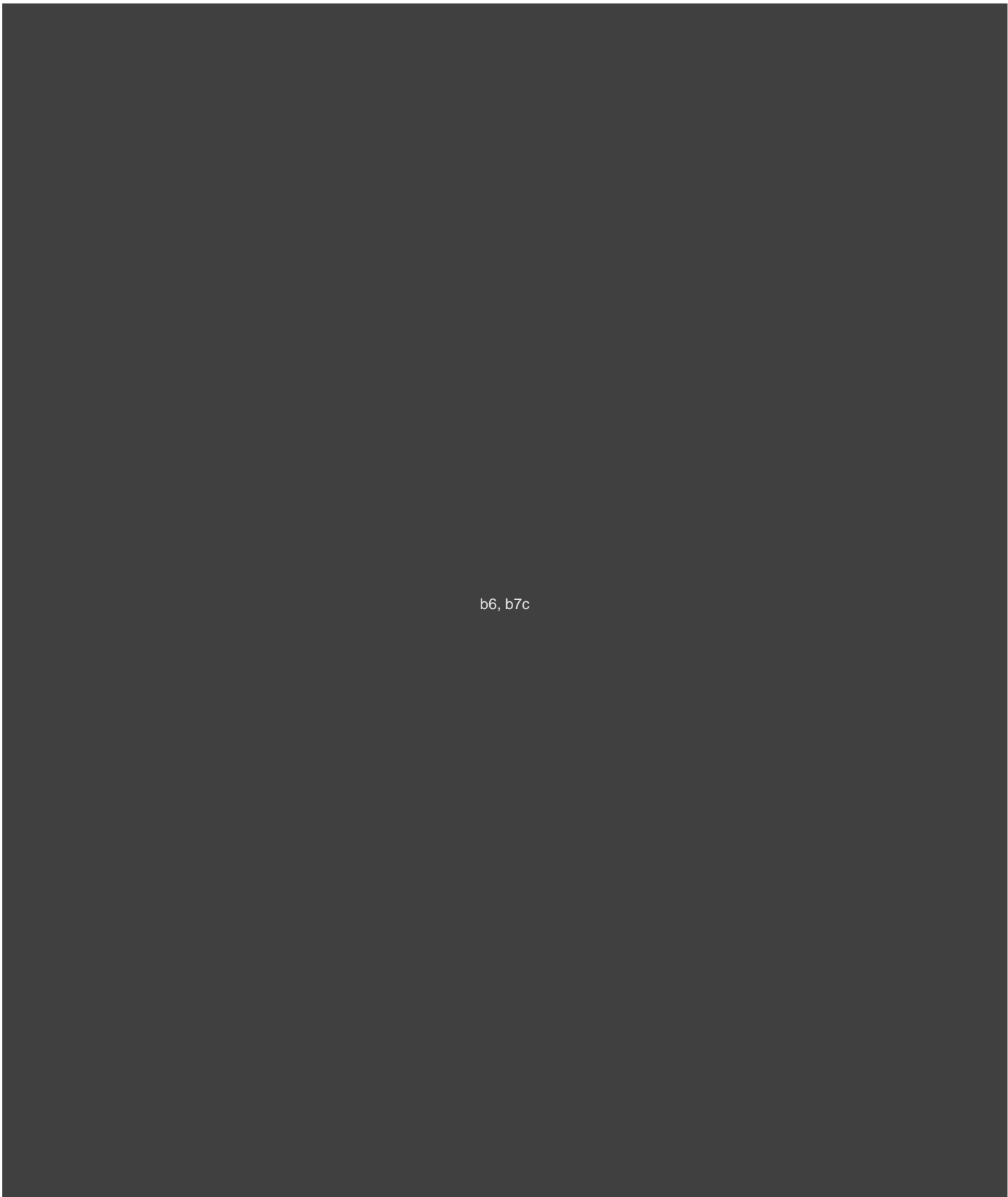
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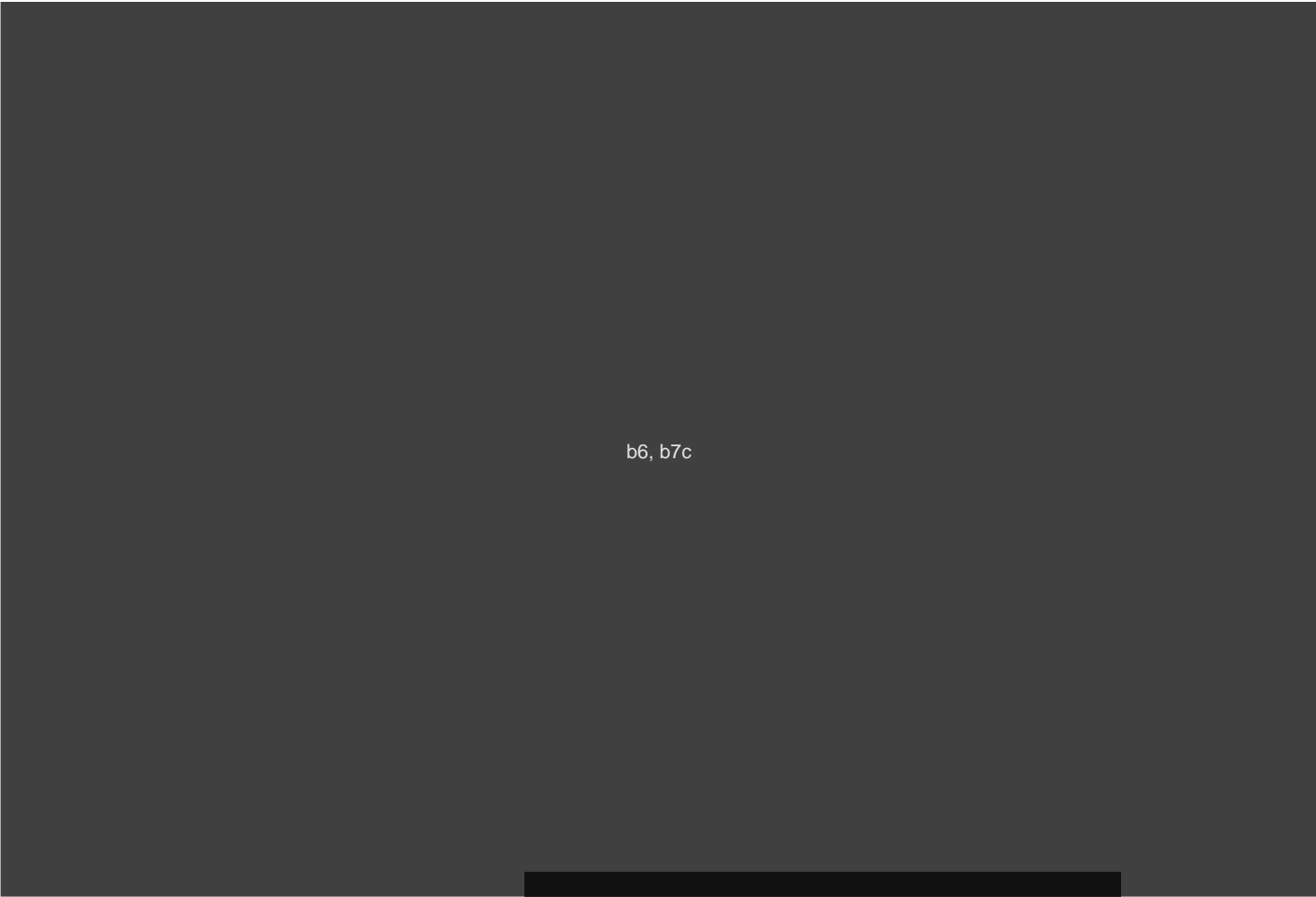
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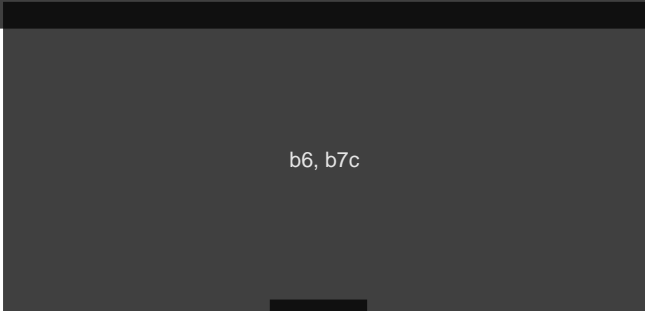
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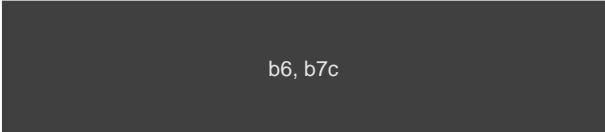


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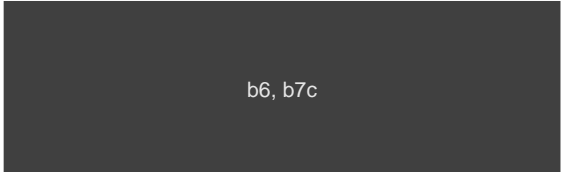
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Telephone: 651-642-
Facsimile: 651-642-1875



b6, b7c

St. Paul, MN 55114
Telephone: 651-642-
Facsimile: 651-642-1875



b6, b7c

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Minneapolis, MN 55402

Telephone: 612-632-b6, b7c

Facsimile: 612-632-4335

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Minneapolis, MN 55402

Telephone: 612-961-b6, b7c

Facsimile: 612-339-6686

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Minneapolis, MN 55405

Telephone: 612-870-b6, b7c

Facsimile: 612-870-7462

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non-responsive FOIA

non-responsive FOIA

Office of the Principal Legal Advisor

U.S. Department of Homeland Security
500 12th Street, S.W., 9th Floor
Mail Stop - 5900
Washington, DC 20536-5706



**U.S. Immigration
and Customs
Enforcement**

~~**ATTORNEY-CLIENT/WORK PRODUCT PRIVILEGED COMMUNICATION**~~

MEMORANDUM FOR: DAVID J. KLINE
Director, Office of Immigration Litigation, District Court Section
U.S. Department of Justice

FROM: PETER S. VINCENT
Principal Legal Advisor

SUBJECT: Request for Department of Justice Representation, b6, b7c

b6, b7c

b6, b7c, b5AWP/AC

b6, b7c, b5AWP/AC

b6, b7c, b5AWP/AC

Exhibit A

Settlement Agreement

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE HUTTO FAMILY DETENTION
CENTER

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Case No [REDACTED] b6, b7c



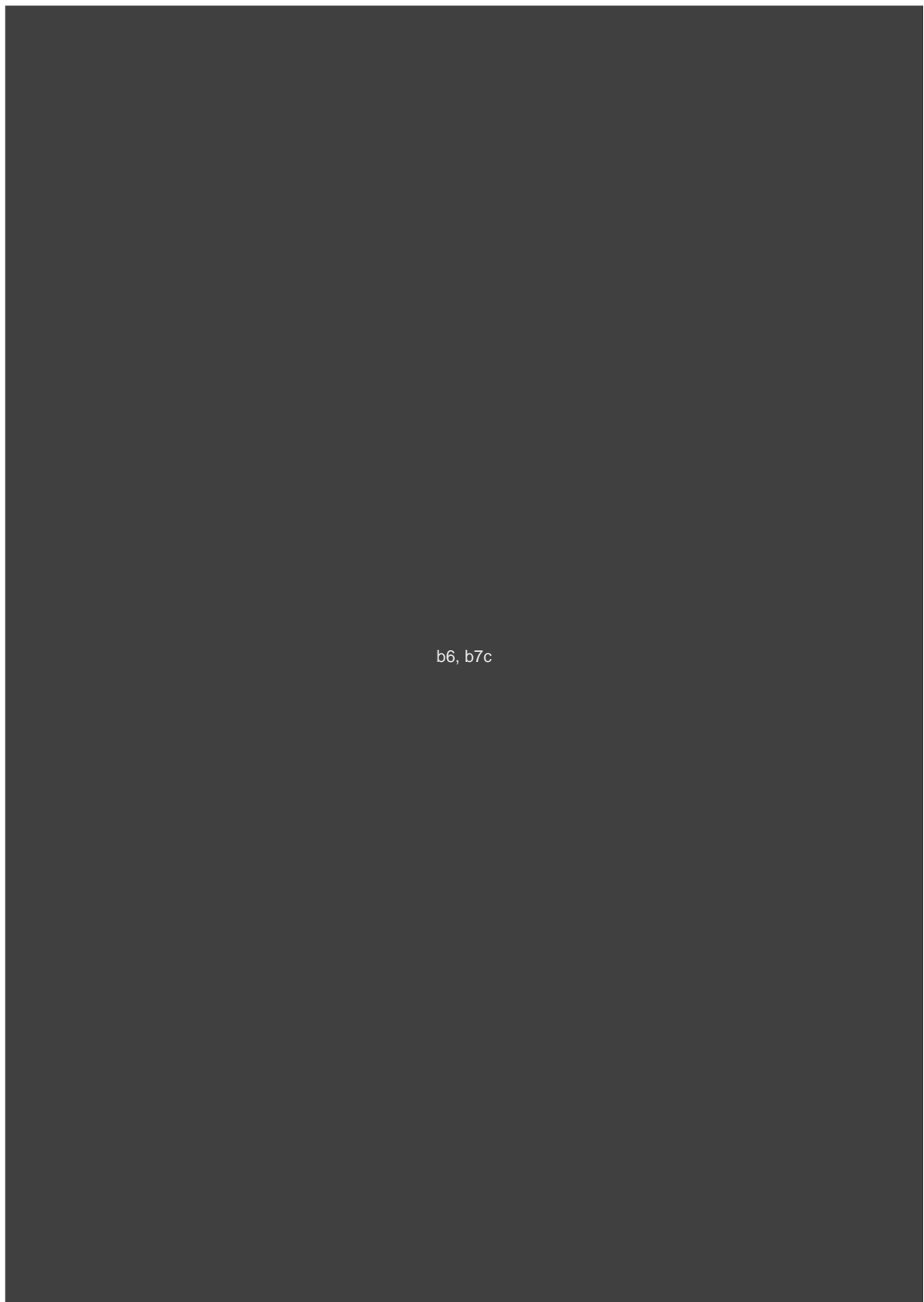
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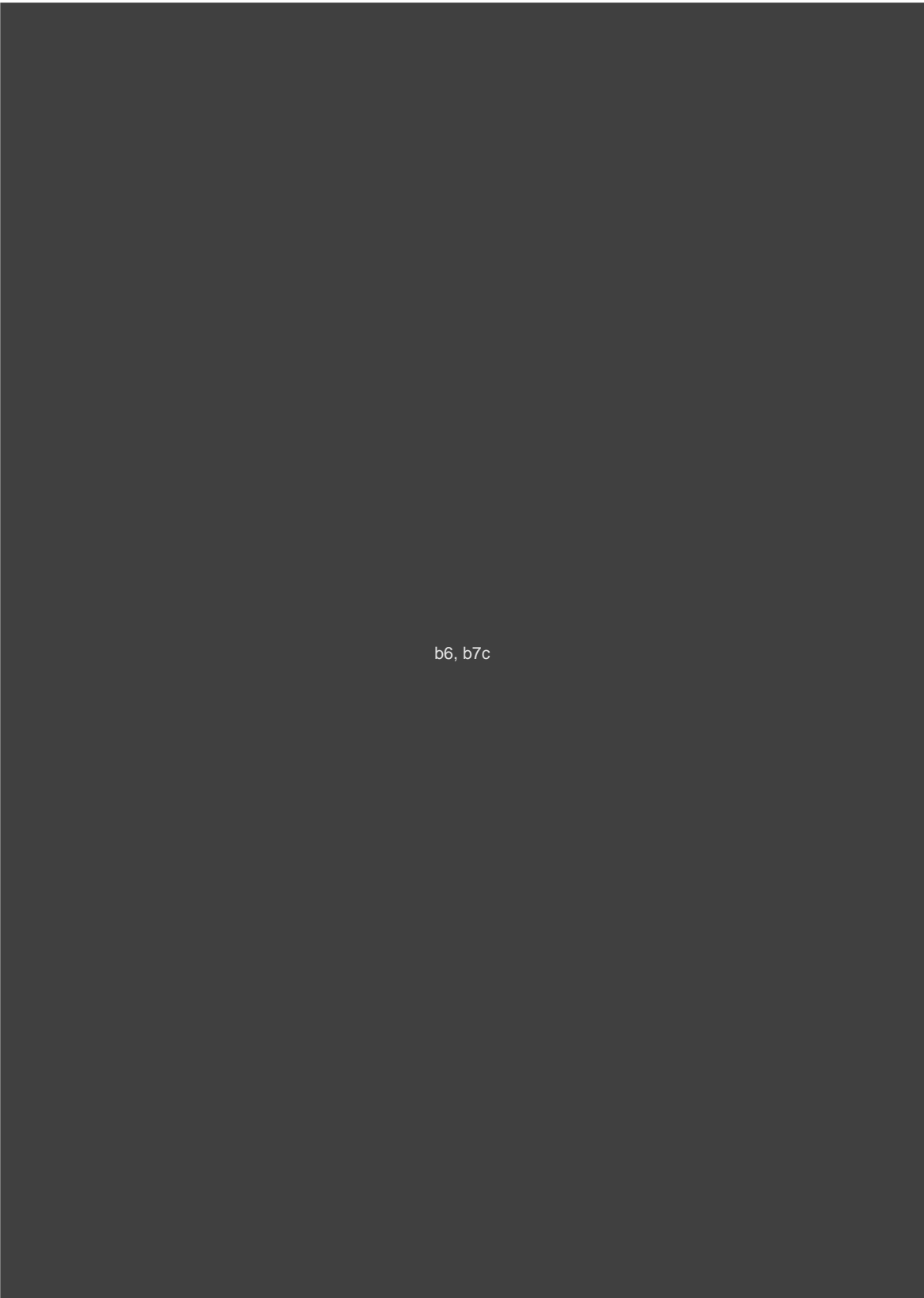


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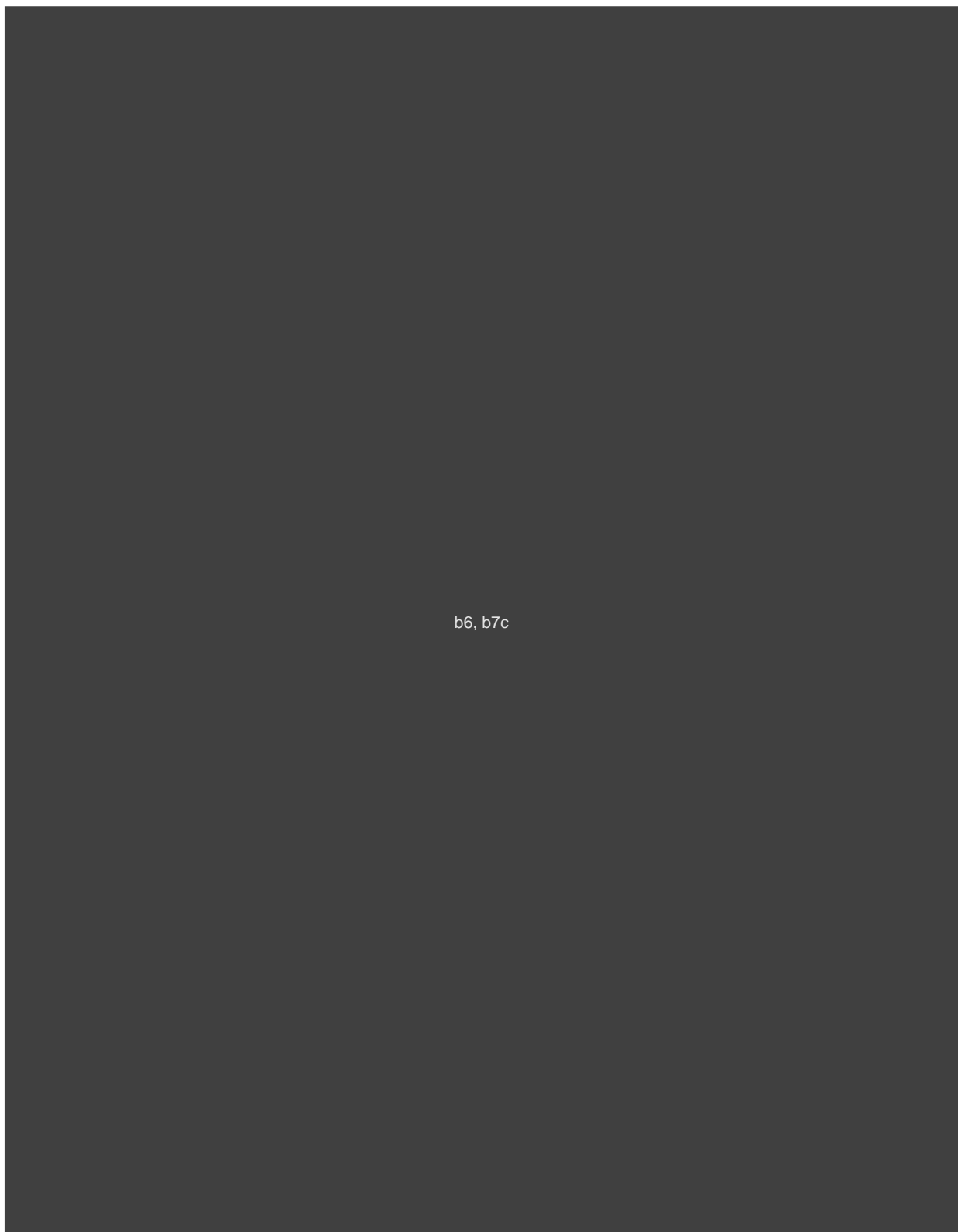
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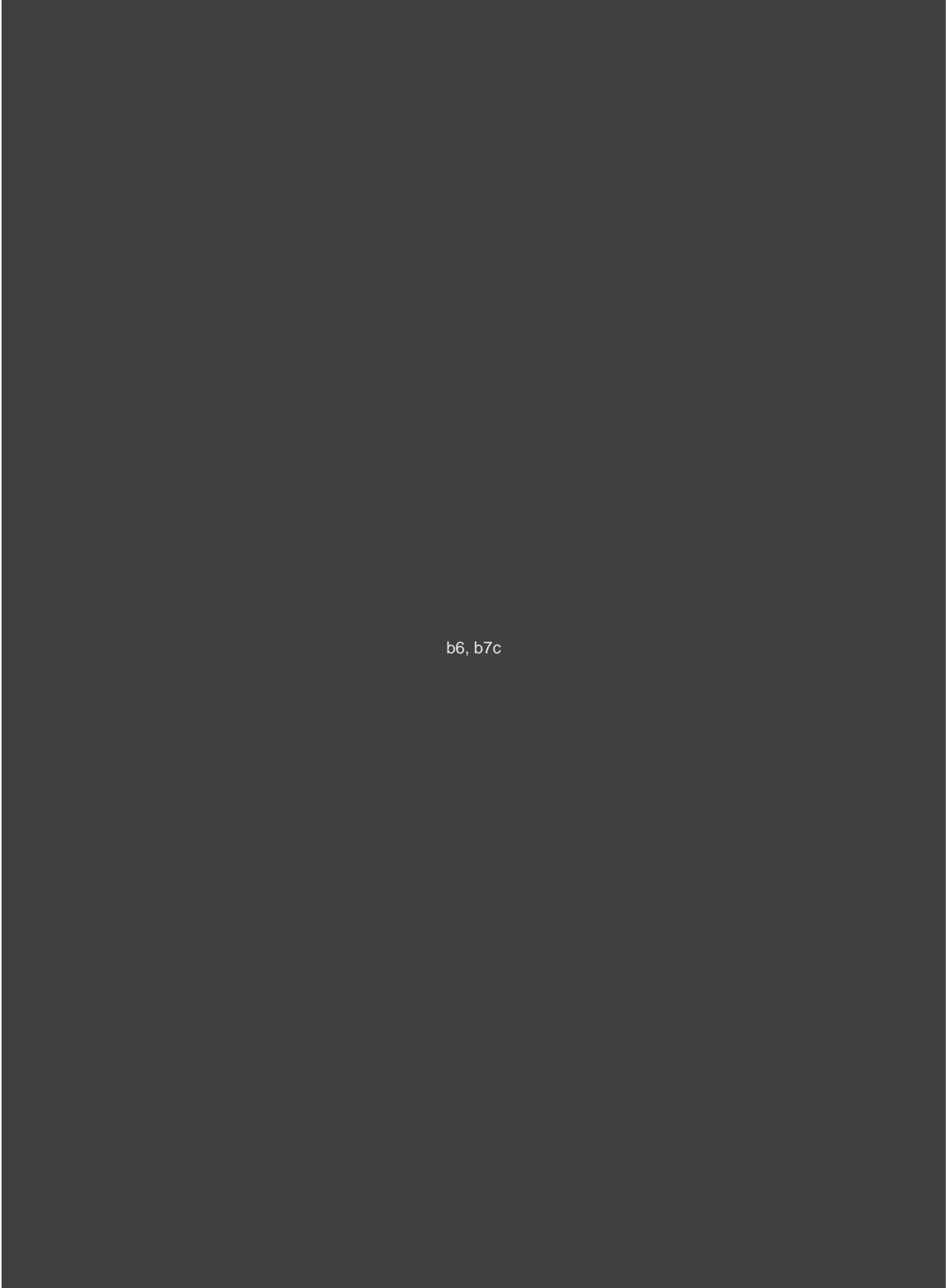
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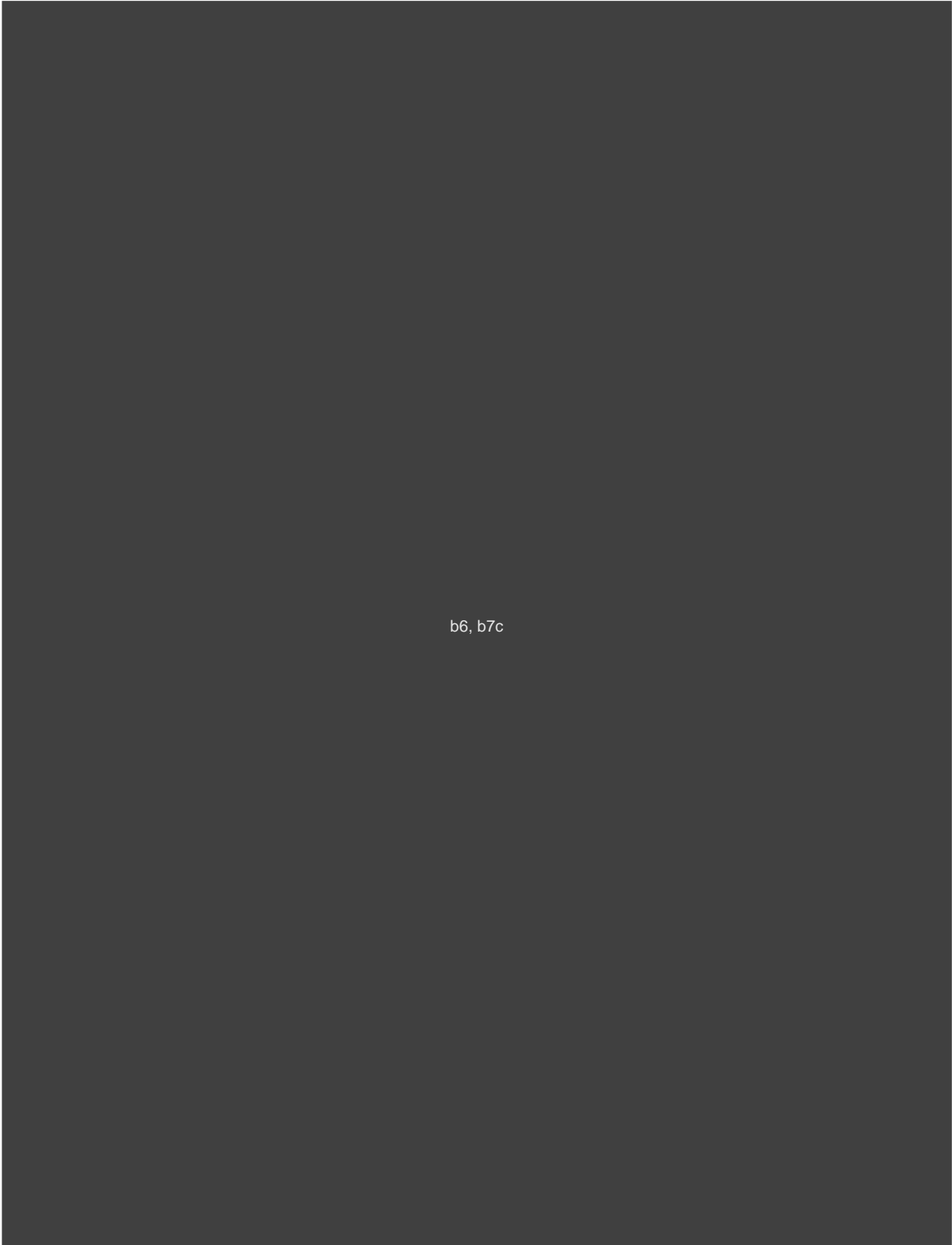
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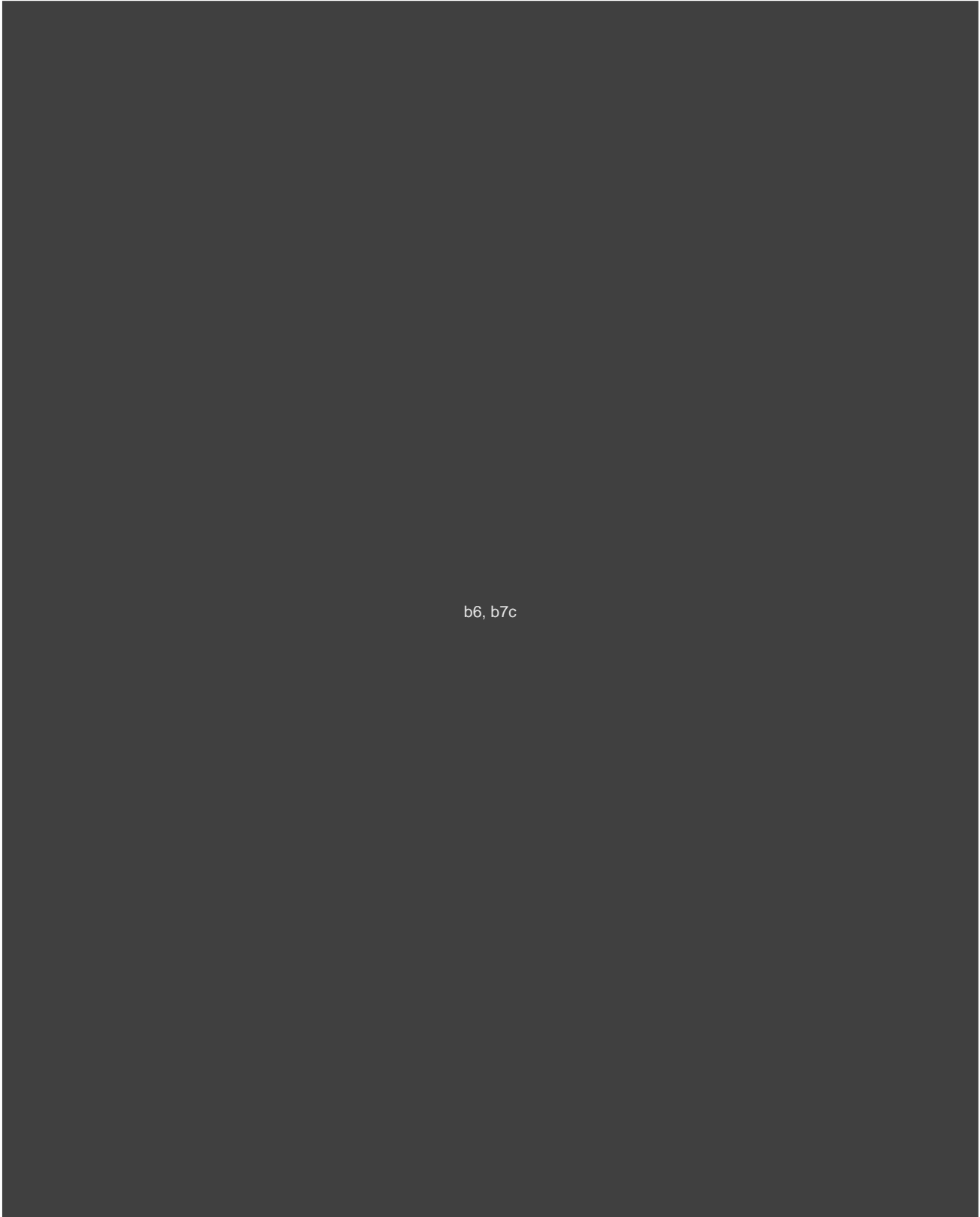
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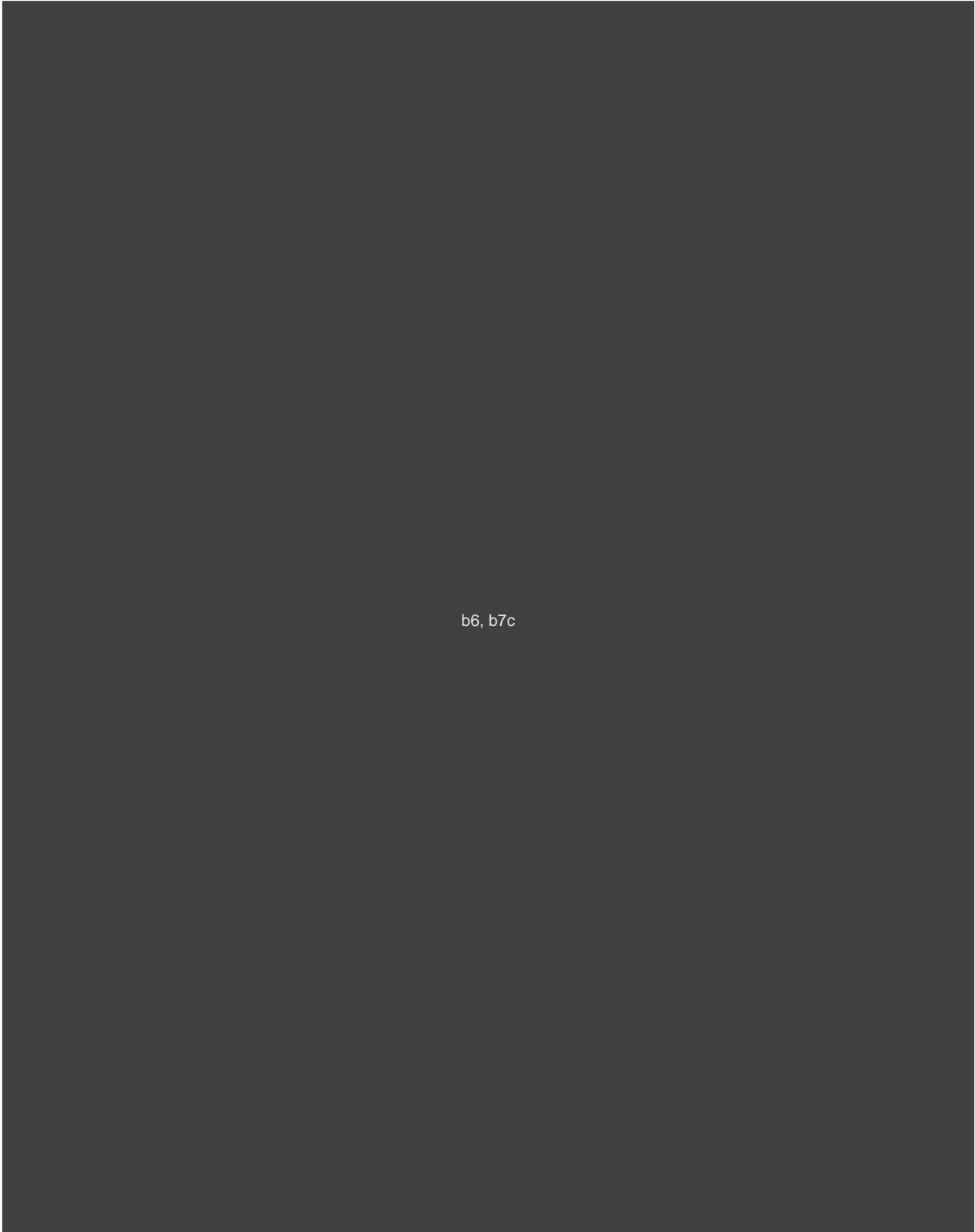
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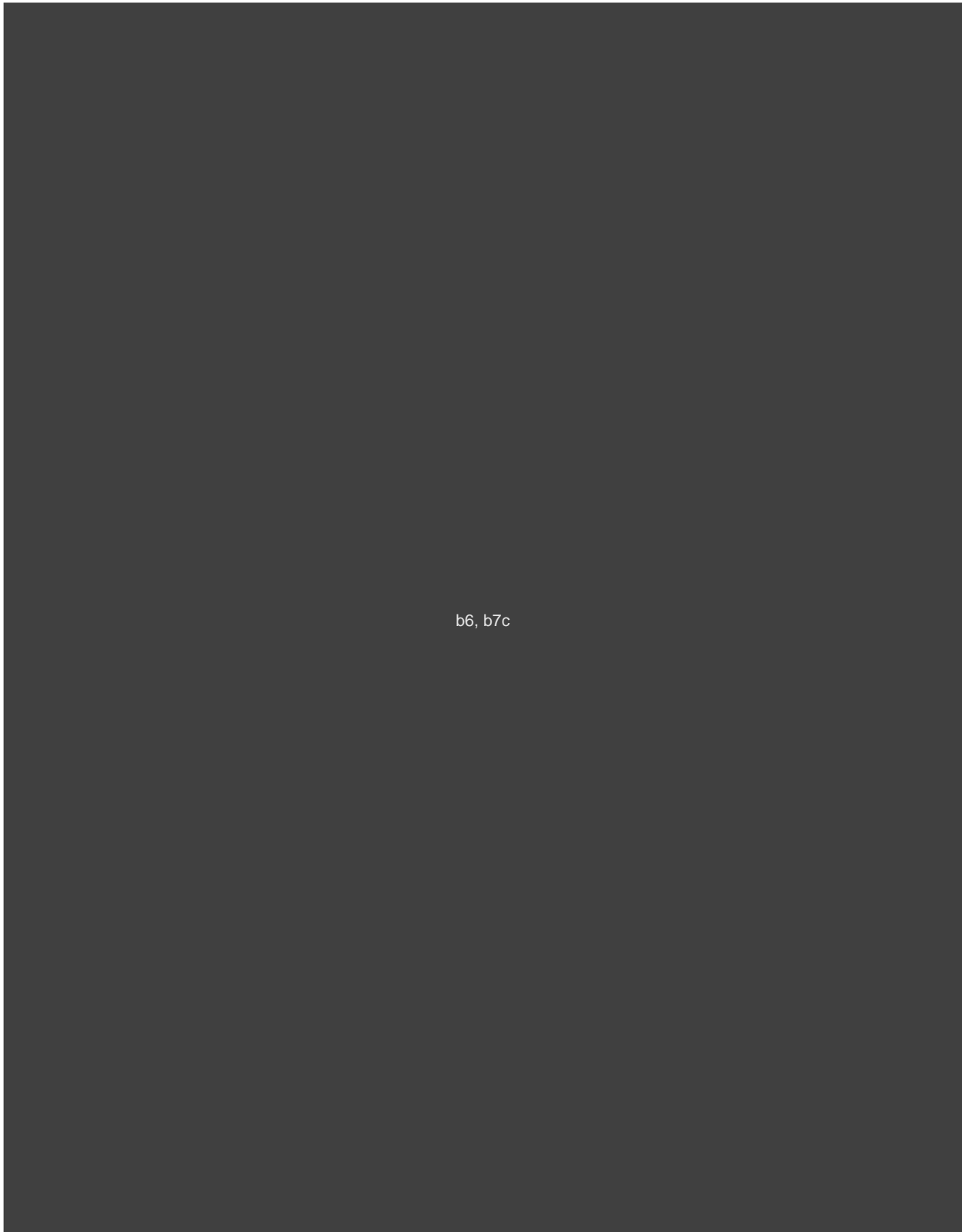
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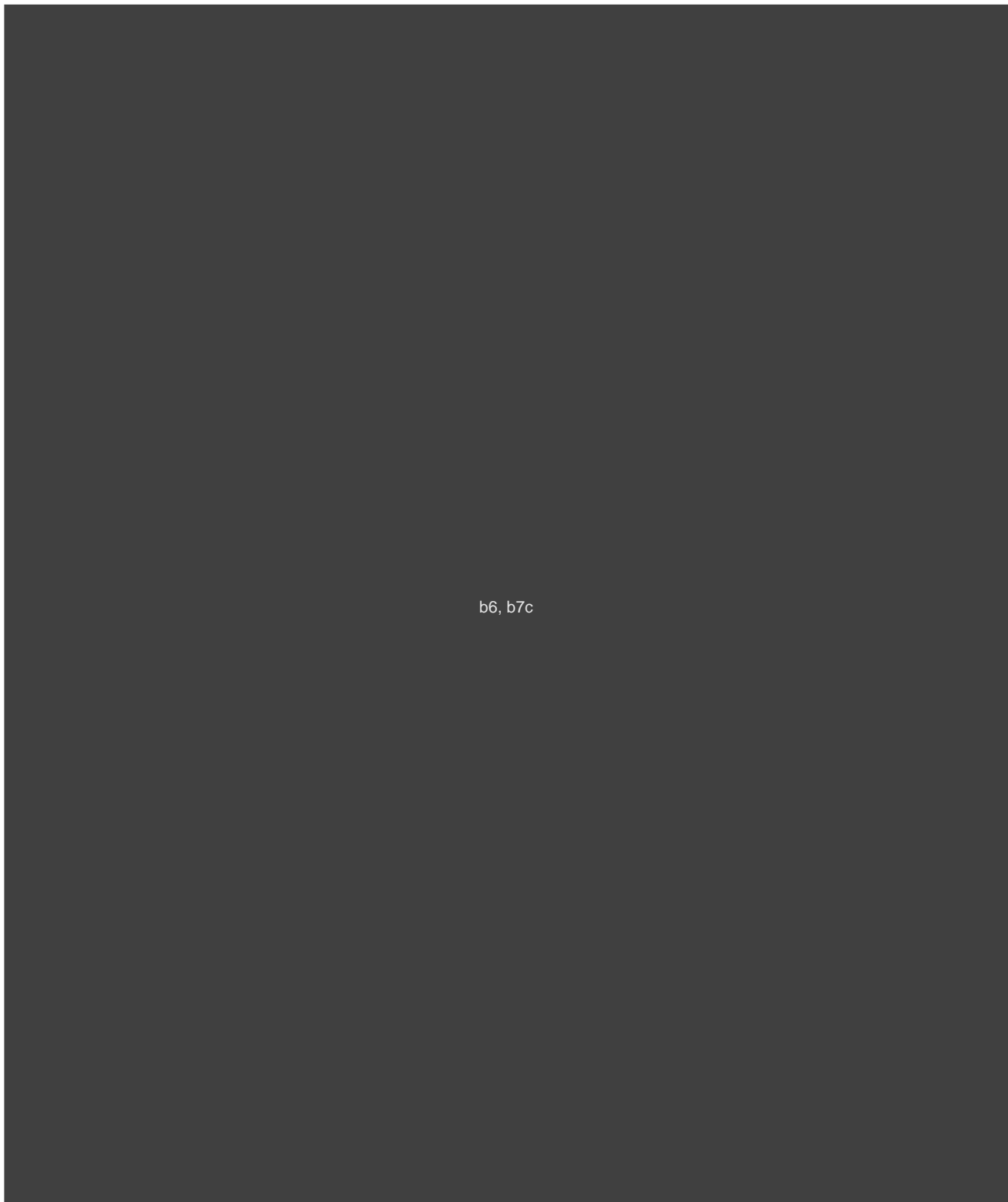
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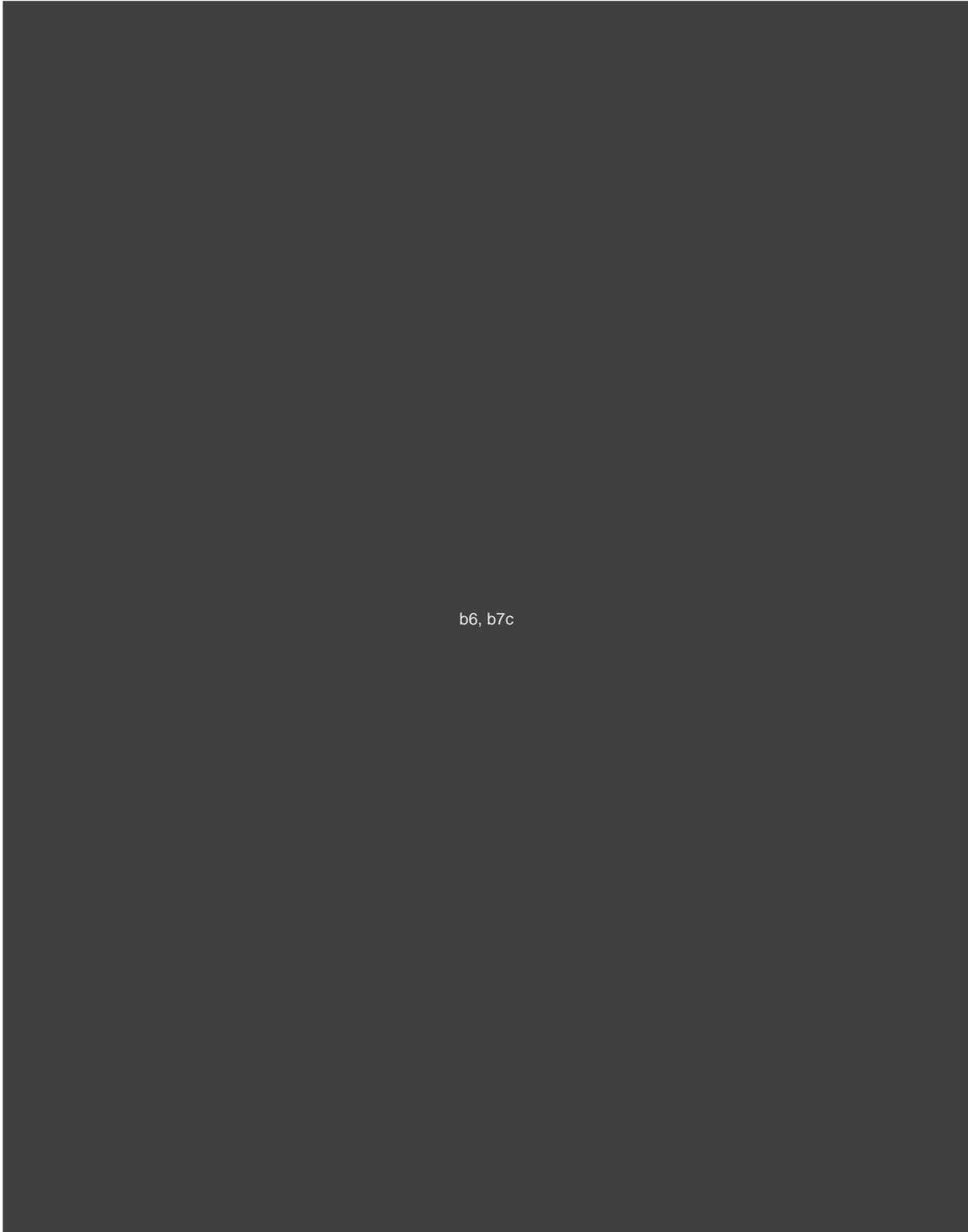
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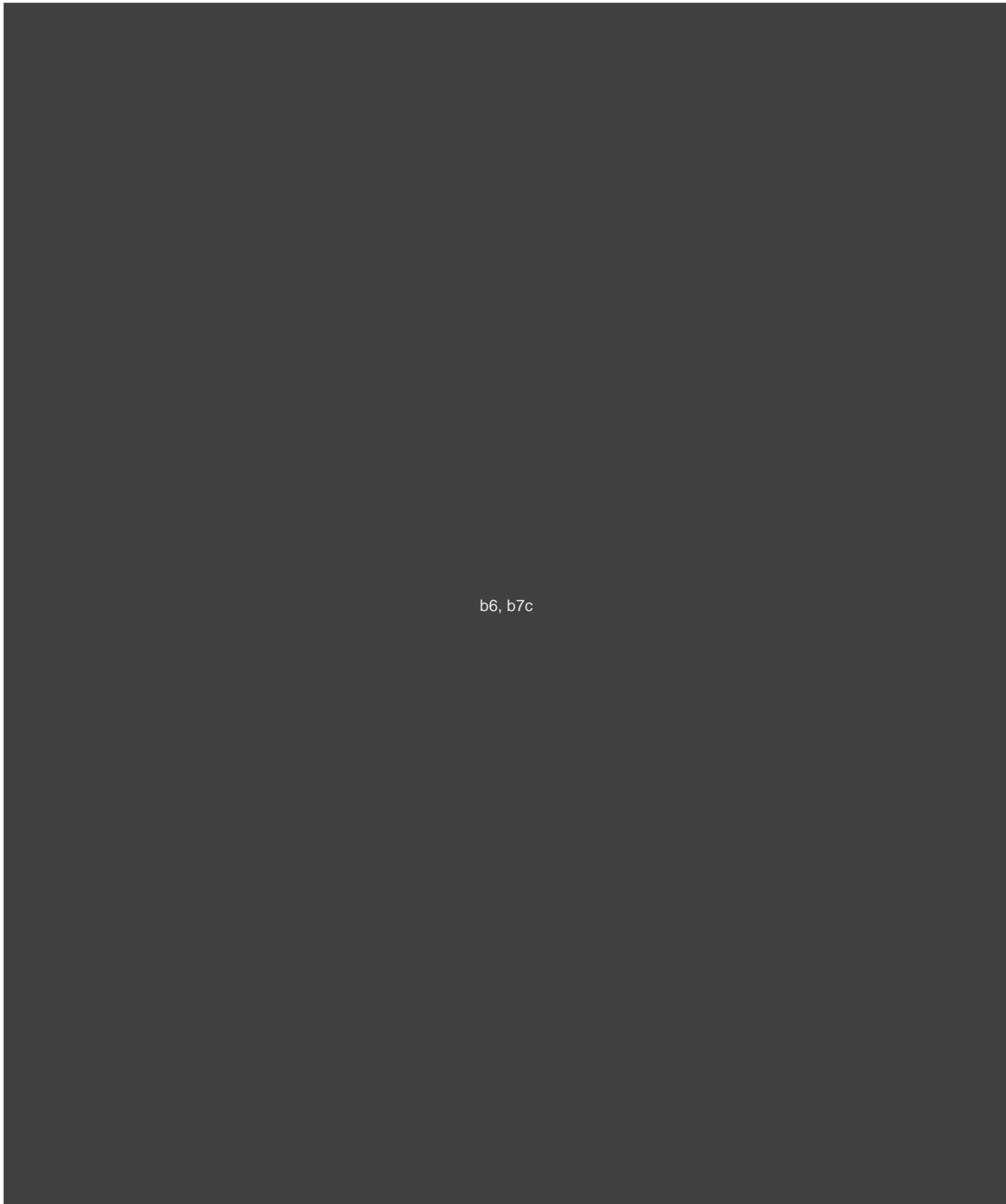
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b6, b7c



b6, b7c



b6, b7c

For PLAINTIFFS

By: [redacted]

b6, b7c

Date:

8/26/07

[redacted]
b6, b7c

[redacted]
b6, b7c

New York, NY 10004

[redacted]
b6, b7c

By: [redacted]

b6, b7c

Date:

8/26/07

[redacted]
b6, b7c

Washington, DC 20003

[redacted]
b6, b7c

For DEFENDANTS

By: [redacted]

b6, b7c

Date:

8/26/07

[redacted]
b6, b7c

Director

Office of Detention and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
Washington, D.C. 20536

By: [redacted]

b6, b7c

Date:

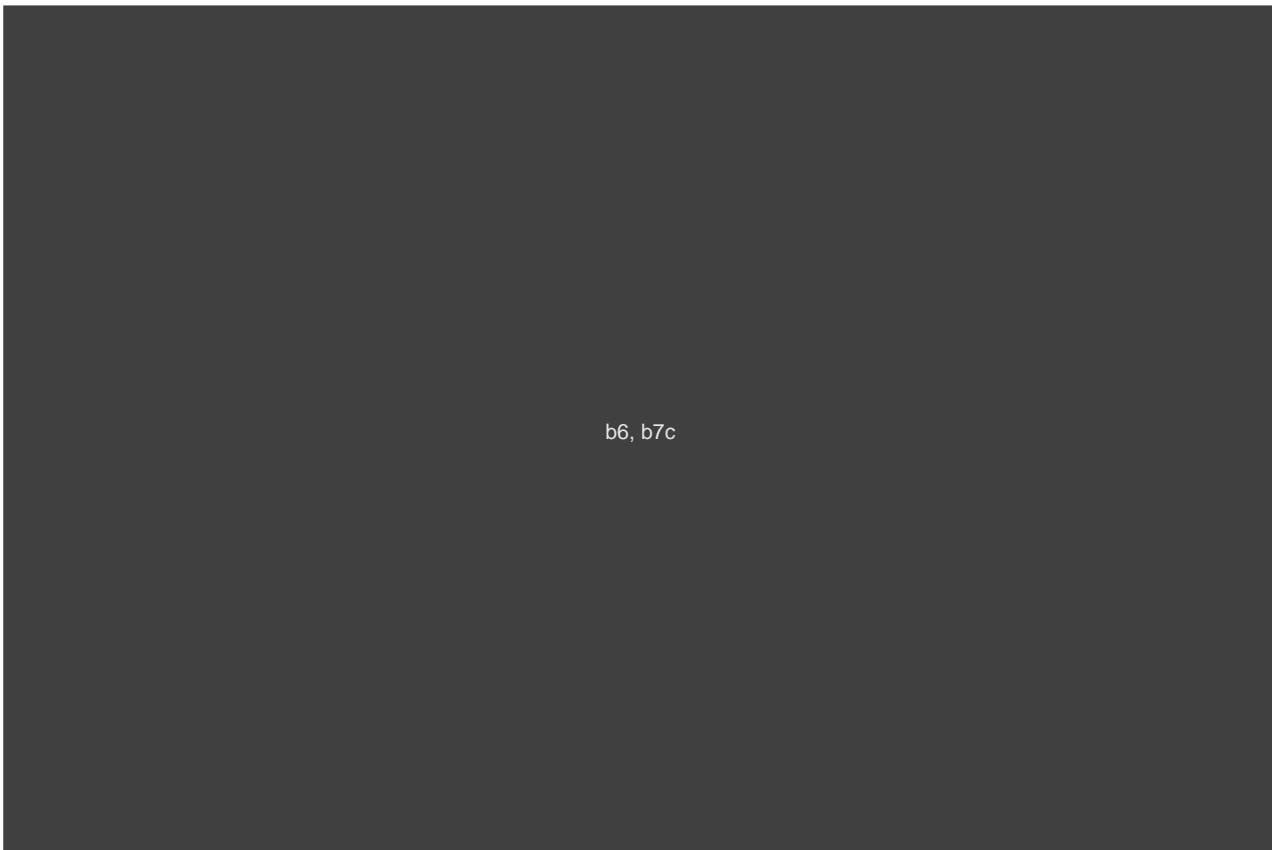
8/26/07

[redacted]
b6, b7c

Senior Litigation Counsel
Office of Immigration Litigation
U.S. Department of Justice
Washington, D.C. 20044

[redacted]
b6, b7c

EXHIBIT A



b6, b7c

EXHIBIT B**Structural Changes****Yes** **No**

- Privacy curtains installed in showers in all pods.
- Privacy curtains installed around toilets in all rooms.
- Porcelain toilets and sinks installed in all rooms occupied by residents.
- Outdoor recreation area improved to include sand volleyball court.

Living Arrangements**Yes** **No**

- *Room searches are not conducted in the absence of individualized suspicion, unless necessary to ensure the health or safety of a resident.
- Each resident is provided with his or her own bed.
- Residents are permitted to decorate rooms with personal items, so long as the decorations do not present a health or safety hazard.
- Residents are provided mattresses of at least 4 inches in thickness, or, if 4" thick mattresses are not yet available, residents who express discomfort with their bed may have access to two 3" mattresses.
- Each family (including husband-and-wife couples) is permitted to spend unlimited time together in any of their respective rooms, with the door open, between the hours of 8 a.m. and 8 p.m. During orientation, families are informed that they may spend this time together in their rooms. Adults are not disciplined for being in their spouse's room. However, residents, including husband-and-wife couples, are further informed during orientation that they may not engage in sexual or intimate activity. If residents do engage in sexual or intimate activity, their privilege of being in individual rooms together will be suspended.

Movement**Yes** **No**

- *Between 8 a.m. and 8 p.m., residents are allowed free access to the

outdoors and other areas within the perimeter of the facility. These areas include, but are not limited to, outdoor and indoor recreation areas, the gymnasium, computer lab, library, cafeteria, all pods, barber area, and medical and dental clinics. Minor residents 12 years and older are free to move to and from these areas with a pass signed by his or her parent; residents younger than 12 years must be accompanied by a parent.

Clothing

Yes No

- Residents are allowed access to personal clothing, if appropriate and in acceptable condition.
- The facility provides pajamas for children upon request.
- Residents are allowed to retain in their rooms up to 10 sets of clothing, including personal clothing and facility-provided clothing, so long as the clothing does not cause a safety hazard and appropriate space exists.
- The facility accepts donations of appropriate clothing from organizations.

Toys

Yes No

- Each pod contains communal toys for minor residents' use.
- *Children are allowed to keep a limited number of toys in their rooms from 8 a.m. to 8 p.m. After 8 p.m., toys are returned to the communal area.
- The facility allows for the donation of new toys in their original packaging, although the facility may screen toys to ensure they are appropriate and safe for children's play.

Phone Access

Yes No

- Phone cards are sold at commissary at reasonable cost.
- Phone calls placed by children are not monitored in real time or subsequently in the absence of

individualized suspicion, but the facility may log phone calls placed by children.

- During orientation, the facility informs all residents that their personal calls are recorded (even in the absence of individualized suspicion), but generally are not monitored in real time.
- The facility does not refer to residents as "prisoners" in outgoing phone messages.
- The facility provides access to a telephone system that allows residents to make phone calls free of charge to pro bono or free legal service providers.

Schedule

Yes No

- From Monday through Friday, the facility does not wake children until 6:30 a.m. at the earliest.
- On Saturday and Sunday, the facility does not have a wake-up time for residents. On these days, the facility offers a continental-style breakfast and/or brunch for extended hours to allow for flexible wake-up times.
- A flexible showering schedule is implemented so that children may shower at various times during the day (e.g., after they exercise).

Food

Yes No

- A variety of meals are offered at the facility.
- Food is served from serving stations visible to the residents.
- A certified dietician oversees and approves menus.
- The facility consistently ensures that perishable food items such as milk have not expired or spoiled.

Library

Yes No

- Residents have free access to a library and books.
- The facility makes efforts to ensure there are a sufficient number of age- and language-appropriate books available to residents.
- The facility ensures that translation dictionaries are available in Spanish.
- The facility allows for organizations to donate new and used books, although books may be subject to screening to ensure no contraband is contained in any books.

Television and Music

Yes No

- Each occupied pod has two televisions to allow for both Spanish and English TV.
- The facility provides music and listening equipment to residents, or accepts donations of these items.

Law Library

Yes No

- Residents have access to current legal materials as required by ICE's National Detention Standards.

Orientation

Yes No

- Residents are provided with a handbook reflecting current rules and policies. The Handbook is updated within reasonable time after rule and policy changes are made.

Legal Orientation and Access

Yes No

- Legal orientation materials are available to residents in both English and Spanish, including materials prepared by, or in consultation with, local immigrants' rights organizations.
- Immigrants' rights organizations are permitted to conduct legal orientation

presentations (LOPs) on a regular basis.

- Facility staff are instructed on attorney-client privilege and confidentiality to prevent questioning of residents about the content of legal visits. Facility staff are instructed to not provide legal advice or discourage residents from exercising their rights.
- Interpreters affiliated with a non-profit organization or an attorney are permitted to enter the facility if, on that first visit, the interpreter provides 24-hour advance notice. On subsequent visits, the interpreter need not announce his or her visit in advance, and is only subject to the same security procedures as attorneys (e.g., provision of identification, etc.) as long as they are accompanied by, and under the supervision of, the law student, paralegal or attorney for whom they are working.
- Residents are provided access to a copier at no cost for use in preparation of their legal case.
- Attorneys are able to leave incoming phone messages for residents. Messages are then promptly provided to residents who are permitted to return the attorneys' calls.
- Phone instructions (as clarified by plaintiffs' counsel) for accessing toll-free pro bono legal services are provided by the phones in each pod.

Visitation

Yes No

- The facility has weekday visitation hours; signs at the facility display the weekday visitation hours.

Activities for Children

Yes No

- Structured physical activities are provided for children when not in school, such as organized sports, physical activities such as dance, intellectually stimulating activities, arts and crafts, and music.
- *The facility organizes regular off-site field trips for children that serve either a recreational or educational function. However, children subject to a final order of removal, children with documented disciplinary problems, and children whose parents do not consent to off-site trips may be prohibited from participating. The facility also may condition a child's

participation on an off-site trip upon the parent(s) consent to limit and/or waive liability of the government, service provider, or field trip provider.

- Children are permitted to have paper, pens, crayons, pencils, toys, and books in their rooms between 8 a.m. and 8 p.m.

Mail

Yes No

- The facility ensures that guards do not read resident mail.
- Residents' relatives are permitted to send books and appropriate clothes.

Medical & Dental Care

Yes No

- Subject to the availability of qualified and willing candidates, the facility has on-site medical staff who speak Spanish.
- The facility will provide a larger and more suitable space for medical consultation (the actual increase in space may not yet be in place within 3 months of the Effective Date of the Agreement).
- Subject to the availability of qualified and willing candidates, the facility has an on-site Spanish-speaking dental assistant.
- Residents have access to a limited number of over-the-counter medications, such as Pepto Bismol, through the medical services staff at the facility.
- Children are provided with soft and full-sized toothbrushes.

Mental Health

Yes No

- Residents have access to mental health care as needed.
- Subject to the availability of qualified and willing candidates, the facility has a Spanish-speaking social worker for on-site counseling.

Counts**Yes** **No**

- *No head counts of residents are performed as a regular operating practice. Facility utilizes a system in which residents self check-in with designated staff no more than three times per day.

Commissary**Yes** **No**

- Residents' family members and friends are allowed to add money to residents' commissary accounts.
- Items are available at the commissary for purchase by residents at a reasonable cost.
- Residents are permitted to purchase additional grooming items at the commissary.

Computers**Yes** **No**

- Residents are permitted limited access to the internet in the facility's computer lab; Facility may employ web-filtering software and web-monitoring software, and require residents to follow an access policy.

EXHIBIT C**Yes No****Education**

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Students have five hours of class time per day. |
| <input type="checkbox"/> | <input type="checkbox"/> | Computer lab with English as a second language (ESL) and other computer classes available. (The language program is the English Language Learning and Instruction System (ELLIS), which teaches elementary vocabulary to users in Spanish, Mandarin Chinese, Vietnamese, and Arabic.) |
| <input type="checkbox"/> | <input type="checkbox"/> | Telephonic translating service is accessible in the classrooms. |
| <input type="checkbox"/> | <input type="checkbox"/> | Educational assessments completed for each child. |
| <input type="checkbox"/> | <input type="checkbox"/> | Adult education classes, including ESL, parenting, development, and computers are occurring. (A Spanish language computer parenting program is loaded on the computers. A separate ESL class in addition to the ELLIS software will be added.) |
| <input type="checkbox"/> | <input type="checkbox"/> | School curriculum is based on Texas Educational Knowledge and Skills standards. |
| <input type="checkbox"/> | <input type="checkbox"/> | All teachers are certified in Texas or are enrolled in a Texas Education Agency certification program. |

Recreation

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Children and adults have access to the outdoors during the day. |
| <input type="checkbox"/> | <input type="checkbox"/> | Children have a physical education period and a recess period during the school day. |
| <input type="checkbox"/> | <input type="checkbox"/> | Open recreation time offered during the day. |
| <input type="checkbox"/> | <input type="checkbox"/> | Child recreation rooms available to all residents. |
| <input type="checkbox"/> | <input type="checkbox"/> | Movie nights occur at least once per week. |
| <input type="checkbox"/> | <input type="checkbox"/> | Monthly birthday parties for residents occur. |
| <input type="checkbox"/> | <input type="checkbox"/> | Residents have outside recreation time on weekends, weather permitting. |

- Yarn, crochet needles and other craft activities available in pods.

Living Conditions

- Mattresses are at least three-inches in thickness.
- Walls in pods and many common spaces painted in variety of colors, including some art murals.
- Leaks in living areas from ceilings are repaired in a timely manner. (Immediate repairs may not be possible due to weather conditions.)
- Temperature is regulated and adjusted to account for resident complaints.
- Some decorating of rooms allowed.
- Each child allowed a teddy bear in room.
- Porcelain toilets and sinks present in pods.
- Night lights are not on in the room unless requested by residents.
- Room doors are unlocked at all times.

Clothing

- Residents can wear their own clothing, within prescribed limits.
- Residents are provided various types of clothing to wear in the facility.

Privacy

- One room in each pod is vacant and designated for private toilet use.
- Curtains around toilets installed in all pods, except for B Hall. Installation in B Hall is in progress and will be completed within three (3) months.

Grooming

- Shampoo and conditioner available to residents.
- Barber services available at least twice per week.
- Variety of grooming supplies and toiletries available at commissary.

Food

- Menu undergoes regular revisions.
- Cafeteria-style menu allows residents to select from choice of entrees and side dishes.
- Salad bars available.
- Meat-based courses available at every meal.
- Refrigerators in pods are stocked with juice, milk, cookies, and fruit.
- Condiments are readily available.
- Drink machines are available in the cafeteria for dinner.
- Variety of snacks are available in the commissary.

Mental Health Services

- "Town Hall" meeting occurs twice each week.
- Individualized needs assessment performed for each minor.
- Minors have available to them a session with social worker once per week.
- Acculturation and adaptation services, containing information on social and inter-personal skills, are available.
- Division of Immigration Health Services (DIHS) staff assists with monitoring of assessment folders to refer minors for immediate counseling and mental health care if they need it.

Medical Care

- Full-time Public Health Service pediatrician onsite.
- Immunization program for minors in place.
- Morning and evening medicine distribution takes place in pods.

Visitation

- Contact visits available.

Attorney Visitation

- Attorneys are not required to fax in visitation sheet before arriving.
- Designated attorney room available for client meetings.
- Children are not required be with parents during attorney meetings.

Detainee Movement

- Housing and interior doors opened; residents are free to move between housing units and non-restricted areas of the facility so long as they check-in when they enter a new area. For children 12 and above, a pass indicating parental consent is required; children under 12 must be accompanied by their parent.
- Daily head counts of residents achieved through system whereby residents check-in with staff at set times.

Staff

- Staff uniform consists of polo shirts and khakis.

Orientation

- Orientation explaining rules, services, expectations, and the availability of legal assistance provided to new residents.
- Local non-profit organizations permitted to give legal orientation program at the organization's expense.

Hutto Facility

- No razor wire on perimeter fencing.
- No fence in front of the entrance to the facility.
- No bars on the entrance to the facility.
- Front area and back recreation area landscaped; flower beds on grounds.
- Resident intake area has wooden doors; doors remain unlocked.
- No signs on premises describing Hutto as a "corrections facility."

Record Keeping

- Resident files now contain intake forms, disciplinary reports, records of counseling and commissary records.
- Client case records are safe guarded and locked in Case Manager's Office; strict key control is maintained; a logbook is utilized to ensure file integrity.

Work

- Detainees allowed to work in kitchen or housekeeping for \$1/day.

EXHIBIT D

Requirements for Child Care Professional retained by JFRMU pursuant to

Paragraph 14 of the Agreement:

- At least 2 years of full-time experience in the management or supervision of child-care personnel and programs.
- A master's or doctoral degree in social work or child psychology.

App. Zone: _____ Entry Zone: _____ POB: _____ DOB: _____ / _____ / _____ A# _____

Nombre: _____ Father: _____ Mother: _____

NOTIFICACION DE DERECHOS

Usted ha sido detenido porque el Servicio de Inmigración opina que se encuentra en los Estados Unidos ilegalmente. Tiene derecho a una audiencia ante el Tribunal de Inmigración, con el fin de decidir si puede permanecer en los Estados Unidos. En el caso de que Usted solicite esa audiencia, pudiera quedar detenido o tener derecho a la libertad bajo fianza hasta la fecha de la audiencia. Tiene la opción de solicitar el regreso a su país a la brevedad posible, sin que se celebre la audiencia.

Usted tiene derecho a comunicarse con un abogado u otro representante legal para que lo represente en la audiencia, o para responder a cualquier pregunta acerca de sus derechos conforme a la ley en los Estados Unidos. Si Usted se lo pide, el funcionario que le haya entregado esta Notificación le dará una lista de las asociaciones jurídicas que podrían representarlo gratuitamente o a poco costo. Tiene derecho a comunicarse con el servicio consular o diplomático de su país. Puede usar el teléfono para llamar a un abogado, o a otro representante legal, o a un funcionario consular en cualquier momento anterior a su salida de los Estados Unidos.

SOLICITUD DE RESOLICION

- Solicito una audiencia ante el Tribunal de Inmigración que resuelva si puedo o no permanecer en los Estados Unidos.
Iniciales _____
- Considero que estaría en peligro si regreso a mi país. Mi caso se trasladará al Tribunal de Inmigración para la celebración de una audiencia.
Iniciales _____
- Admito que estoy ilegalmente en los Estados Unidos, y no considera que estaría en peligro si regreso a mi país. Renuncio a mi derecho a una audiencia ante el Tribunal de Inmigración. Deseo regresar a mi país en cuanto se pueda disponer mi salida. Entiendo que pudiera permanecer detenido hasta mi salida.
Iniciales _____

Firma del sujeto

_____/_____/_____
Fecha

CERTIFICATION OF SERVICE

- Notice read by subject
- Notice read to subject by _____, in the Spanish language.

Name of Service Officer (Print)

Name of Interpreter (Print)

Signature of Officer

_____/_____/_____
Date and Time of Service

hrs.

Notice of Rights and Request for Disposition

File No: _____

Name: _____

NOTICE OF RIGHTS

You have been arrested because immigration officers believe that you are illegally in the United States. You have the right to a hearing before the Immigration Court to determine whether you may remain in the United States. If you request a hearing, you may be detained in custody or you may be eligible to be released on bond, until your hearing date. In the alternative, you may request to return to your country as soon as possible, without a hearing.

You have the right to contact an attorney or other legal representative to represent you at your hearing, or to answer any questions regarding your legal rights in the United States. Upon your request, the officer who gave you this notice will provide you with a list of legal organizations that may represent you for free or for a small fee. **You have the right to communicate with the consular or diplomatic officers from your country.** You may use a telephone to call a lawyer, other legal representative, or consular officer at any time prior to your departure from the United States.

REQUEST FOR DISPOSITION

Initials

I request a hearing before the Immigration Court to determine whether or not I may remain in the United States

Initials

I believe I face harm if I return to my country. My case will be referred to the Immigration Court for a hearing.

Initials

I admit that I am in the United States illegally, and I believe I do not face harm if I return to my country. I give up my right to a hearing before the Immigration Court. I wish to return to my country as soon as arrangements can be made to effect my departure. I understand that I may be held in detention until my departure.

Signature of Subject

Date

CERTIFICATION OF SERVICE

Notice read by subject

Notice read to subject by _____, in the _____ language.

Name of Service Officer (Print)

Name of Interpreter (Print)

Signature of Officer

Date and Time of Service



U.S. Immigration and Customs Enforcement

ICE Office: **SAC/Chicago, Illinois**

Case Number: [REDACTED] b6, b7c

Case Agent: S/A [REDACTED] b6, b7c

Contact Number (s) 630-574-[REDACTED] (o)
630-721-[REDACTED] (c)

ICE Supervisor: G/S [REDACTED] b6, b7c

Contact Number (s) 630-574-[REDACTED] (o)
630-846-[REDACTED] (c)

Title 21 Investigation? Yes (IF YES DEA NOTIFICATION PAGES MUST BE COMPLETED)

No

OPERATION TYPE: Controlled Delivery Search Warrant Execution
 Arrest Warrant Execution Flash roll
 Surveillance U/C Meeting Other

Violations/Charges:

Title 8 USC 1325 Improper entry by alien

Date/Time of Briefing: March 24, 2009 @ 10 a.m.

Location of Briefing: One Tower Lane 16th Floor
Oakbrook Terrace, Illinois 60181

Date/Time of Operation: March 25, 2009 @ 0530 hours

Location of Operation: Great Lakes Naval Base, Great Lakes, Illinois

Staging Location: Great Lakes Naval Base, Building 4 Gymnasium

Target Location: Eight Access Gates to the Installation

Type of Premises: Military Installation

Description of Premises:



b6, b7c, b5DP, (b)(7)e

b b5DP

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Immigration Status and A-Number:
Numerous suspected illegal aliens/unauthorized workers

Other Pertinent Information: See Attachment "H"

Photo Available ___ Yes X No

b7e

Name of U/C: Not Applicable

Physical Description: Not Applicable

Pager/ Cellular Phone Numbers: Not Applicable

U/C Vehicle: Not Applicable

Distress Code: Audio: Not Applicable Visual: Not Applicable

Arrest Signal: Audio: Not Applicable Visual: Not Applicable

Radio Channels: Primary: TBD Secondary: TBD

Sector Phone Number: 1-800-973 b6, b7c

Local Police Notified? X Yes ___ No Name of P.D.: Lake County, IL Sheriff

P.D. Location: Not Applicable Phone: Not Applicable

Air Support Utilized: ___ Yes X No Aircraft Type: Not Applicable

Air Support Instructions: Not Applicable

Nearest Hospitals:

North Chicago VA Medical Center
3001 Green Bay Road
North Chicago, Illinois 60064
Phone: (800) 393-0865 or (847) 688-1900

Personnel Assignments: See Attachment "E"

b7e

Prisoner Processing Location: See Attachment "H"

Those arrested will be taken to Great Lakes Naval Base, Building 4, Base Gymnasium, 400 Dewey Avenue, on the installation. Portable processing stations will be located in the building.

Evidence to Be Transported: One Tower Lane, Oakbrook Terrace, Illinois 60181

Equipment/Attire Required: See below

- Ballistic vests
- Side arms
- Raid jackets
- Flashlights
- Radios (Fully Charged)
- Cellular Phone

Known Hazards: None Known

Approval(s): (if Required)

Signature/Title

Signature/Title

cc: ICE HQ Office of Investigations, Smuggling/Public Safety Division
Special Agent in Charge, Chicago, Illinois
OCC/OPLA
Case File

LIST OF ATTACHMENTS

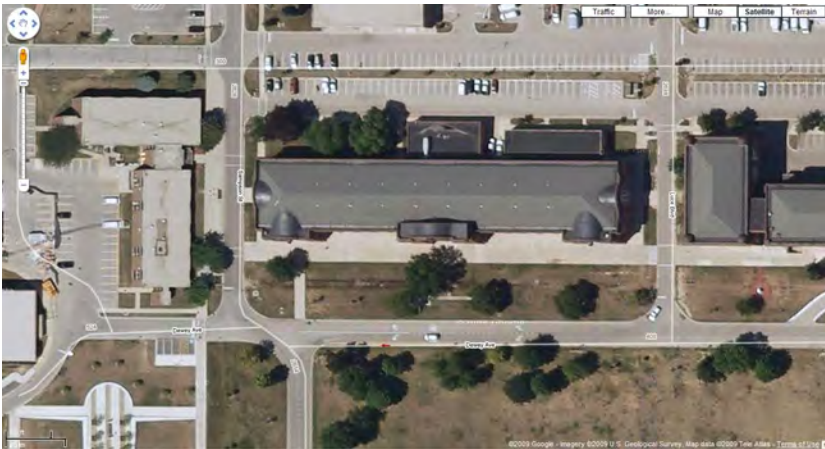
Attachment "A"	Maps and Directions
Attachment "B"	Summary of Investigation
Attachment "C"	Operational Objectives
Attachment "D"	Operational Procedures: Administrative Processing
Attachment "E"	Personnel Assignments
Attachment "F"	ICE Use of Force Policy
Attachment "G"	ICE Primary Care Notice
Attachment "H"	Diagram/Flow of Processing Facility
Attachment "I"	Photos of Gate 1
Attachment "J"	Photos of Gate 3
Attachment "K"	Photos of Gate 4
Attachment "L"	Photos of Gate 5
Attachment "M"	Photos of Gate 6
Attachment "N"	Photos of Gate 7
Attachment "O"	Photos of Gate 8
Attachment "P"	Photos of Gate 9
Attachment "Q"	Other Pertinent Information

ATTACHMENT A

Maps and Directions

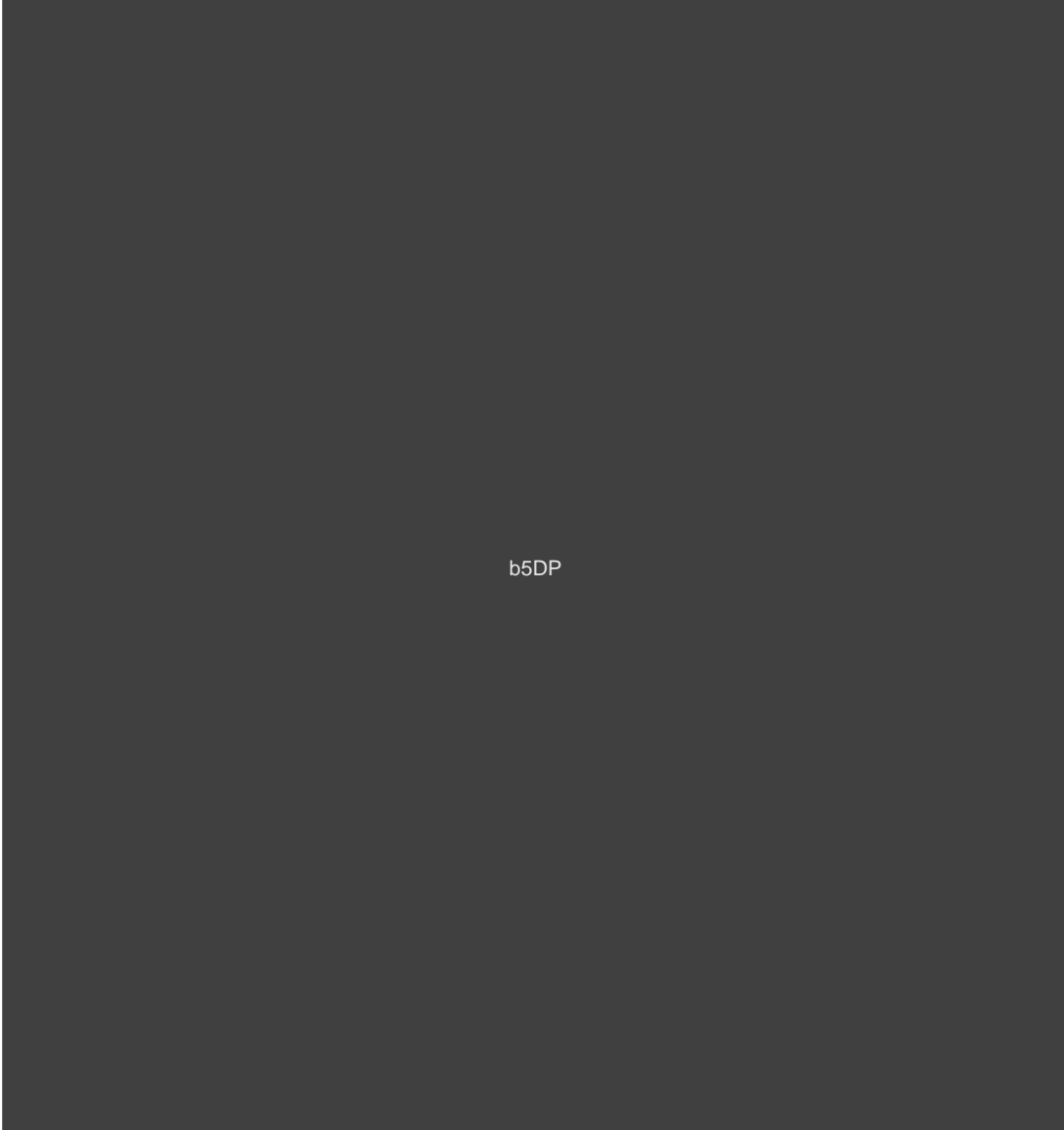
Internet links to a website with maps will be sent to all team leader for individual locations.

<http://www.mapquest.com/maps?1c=Oakbrook+Terrace&1s=IL&1a=1+Tower+Ln&1z=60181-4671&2c=Great+Lakes&2s=IL&2a=400+Dewey+Ave>



ATTACHMENT B

Summary of Investigation



b5DP



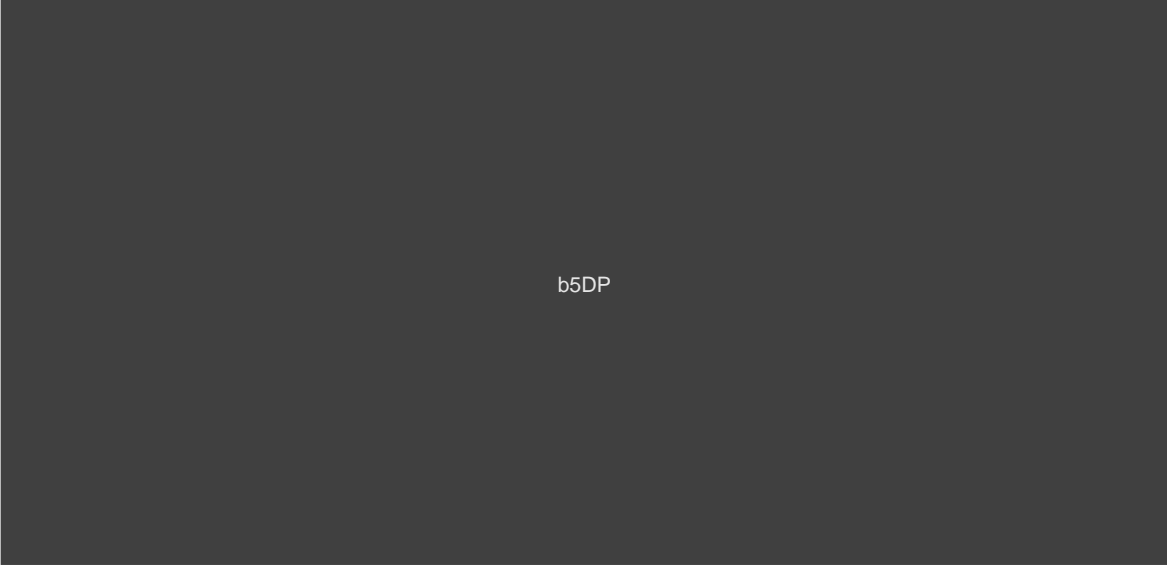
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b5DP

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ATTACHMENT "C"

Operational Objectives



b5DP

ATTACHMENT "D"

Operational Procedures: Administrative Processing



b5DP

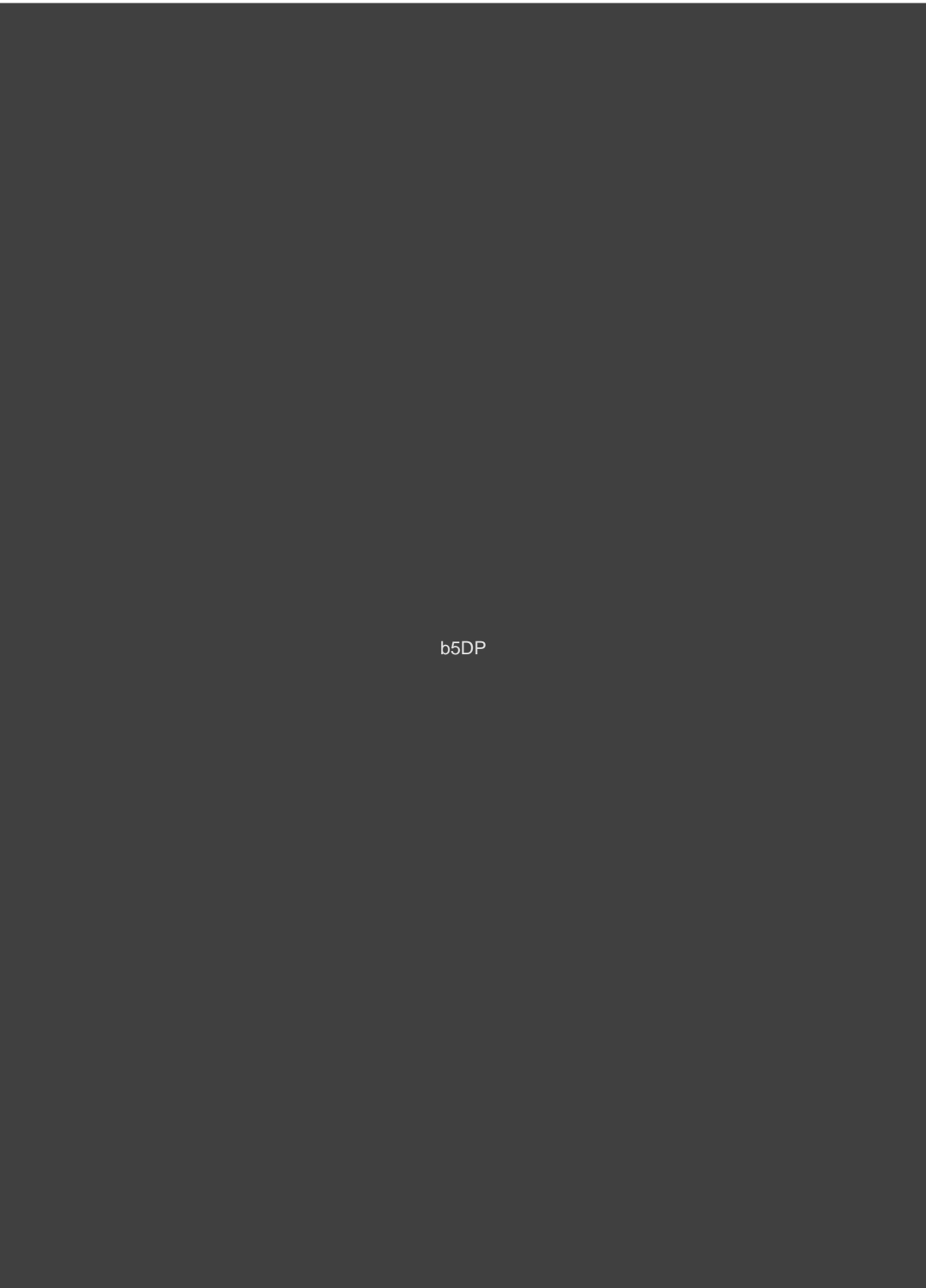


b. b7

b. b7

b5DP

b. b7



b5DP

Comment: b6, b7 What's that?

b6, b7c, b5DP, (b)(7)e

b6, b7c, b5DP, (b)(7)e

b6, b7c, b5DP, (b)(7)e

b6, b7c, b5DP, (b)(7)e

b6, b7c, b5DP, (b)(7)e

b5DP, (b)(7)e

ATTACHMENT "G"

Primary Care Notice

If you have any long-term child-care or health-care issues concerning your minor child(ren) or another family member residing with you, you may speak with an Illinois Department of Children and Family Services (DCFS) representative.

If you want to speak to a DCFS representative regarding your caregiver obligations please contact the Waukegan, IL office at (847) 249-7800 or the DCFS Hotline at (800) 252-2873 or bring your request to the attention of ICE personnel.

Illinois Department of Children and Family Services
500 N. Green Bay Road
Waukegan, Illinois 60085

_____ Name of Alien	_____ Signature of Alien	_____ Date
------------------------	-----------------------------	---------------

_____ Name/Title of Officer	_____ Signature of Officer	_____ Date
--------------------------------	-------------------------------	---------------

Aviso de Cuidado Principal

Si Ud. tiene algunas preguntas de cuidado de niños de largo plazo o cuidado de salud tocante a sus niños, Ud. puede hablar con un representante del Departamento de Servicios de Hijos y La Familia (DCFS) de Illinois.

Si Ud. quería hablar con un representante del DCFS tocante a sus obligaciones de cuidador(a), por favor contacte Ud. la oficina de DCFS de Waukegan por telefono a (847) 249-7800 o la línea directa de DCFS en (800) 252-2873, o traiga su petición a la atención de los agentes de ICE (El Servicio de Inmigración y Control de Aduanas).

Illinois Department of Children and Family Services
500 N. Green Bay Road
Waukegan, Illinois 60085

_____ Nombre del extranjero	_____ Firma del extranjero	_____ Fecha
--------------------------------	-------------------------------	----------------

_____ Nombre/Titular del Oficial	_____ Firma del Oficial	_____ Fecha
-------------------------------------	----------------------------	----------------

ATTACHMENT "H"

Diagram/Flow of Processing Facility

ATTACHMENT "I"

Photos of Gate 1



In View



Out view

ATTACHMENT "J"

Photos of Gate 3



In view



Out view

ATTACHMENT "K"

Photos of Gate 4



In View



Screening Area

ATTACHMENT "L"

Photos of Gate 5



In view



Screening area

ATTACHMENT "M"

Photos of Gate 6



In View



Screening Area

ATTACHMENT "N"

Photos of Gate 7



In View



Screening Area

ATTACHMENT "O"

Photos of Gate 8



View of Gate



Screening area

ATTACHMENT "P"

Photos of Gate 9



View in



Screening area

ATTACHMENT "Q"
Other Pertinent Information

ICE OPLA DCLD CASES

Updated September 12, 2011

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 11/25/10

DCLD Assigned Attorneys: [REDACTED] b6, b7c

Type of Action: Civil: *Bivens*.

Clients/Stakeholders: S1, OAS, ERO & IHSC.

[REDACTED]

b6, b7c, b5DP, AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None.

Case: [REDACTED] b6, b7c
[REDACTED] b6, b7c

First Reported:

Additional Reports: 02/22/11, 01/31/11, 01/27/11, 01/24/11, 12/28/10, 10/12/10, 10/01/10

Assigned Attorneys: Dan Myers, George Ward and Ali Tinkham

Type of Action: Civil: Federal Tort Claims Act, and *Bivens*.

Clients/Stakeholders: ERO and HSI.

b6, b7c, b5dp, AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5dp, AWP

Case:

b6, b7c

b6, b7c

First Reported:

Additional Reports: 11/25/10

Assigned Attorney: Joshua Stanton and Beverlei Colston

Type of Action: Civil: FTCA and *Bivens*.

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Clients/Stakeholders: HSI.



b6, b7c, b5AWP/AC

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None.

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 12/09/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Putative civil class action.

Clients/Stakeholders: ERO, HSI.

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None at this time.

Case: [REDACTED] b6, b7c

b6, b7c

First Reported: 12/13/10

Additional Reports: 12/23/10, 12/20/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil, FTCA.

Clients/Stakeholders: ERO.

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)



b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None anticipated at this time.

Case: [Redacted] b6, b7c
[Redacted] b6, b7c

First Reported:

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Additional Reports: 08/23/11, 01/31/11, 01/27/11, 01/24/11

Assigned attorneys: [b6, b7c] and [b6, b7c]

Type of action: Civil.

Clients/stakeholders: ERO Field Office Boston



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 02/14/11, 02/07/11, 01/31/11, 12/28/10, 12/20/10, 11/29/10, 11/08/10, 11/01/10, 10/12/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: Federal Tort Claims Act (FTCA) and *Bivens*.

Clients/Stakeholders: ERO.

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)



b6, b7c, b5DP/AWP

Case: [redacted] b6, b7c
[redacted] b6, b7c

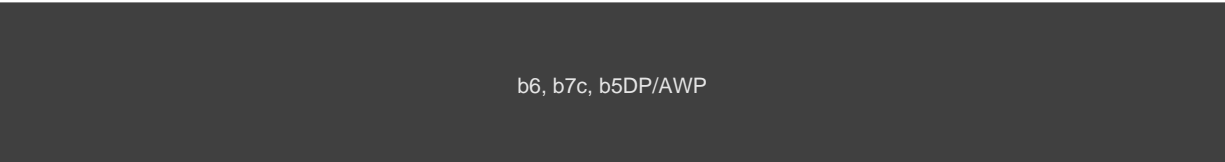
First Reported: 11/25/10

Additional Reports: 05/12/11, 05/09/11

Assigned Attorneys: [redacted] b6, b7c & [redacted] b6, b7c

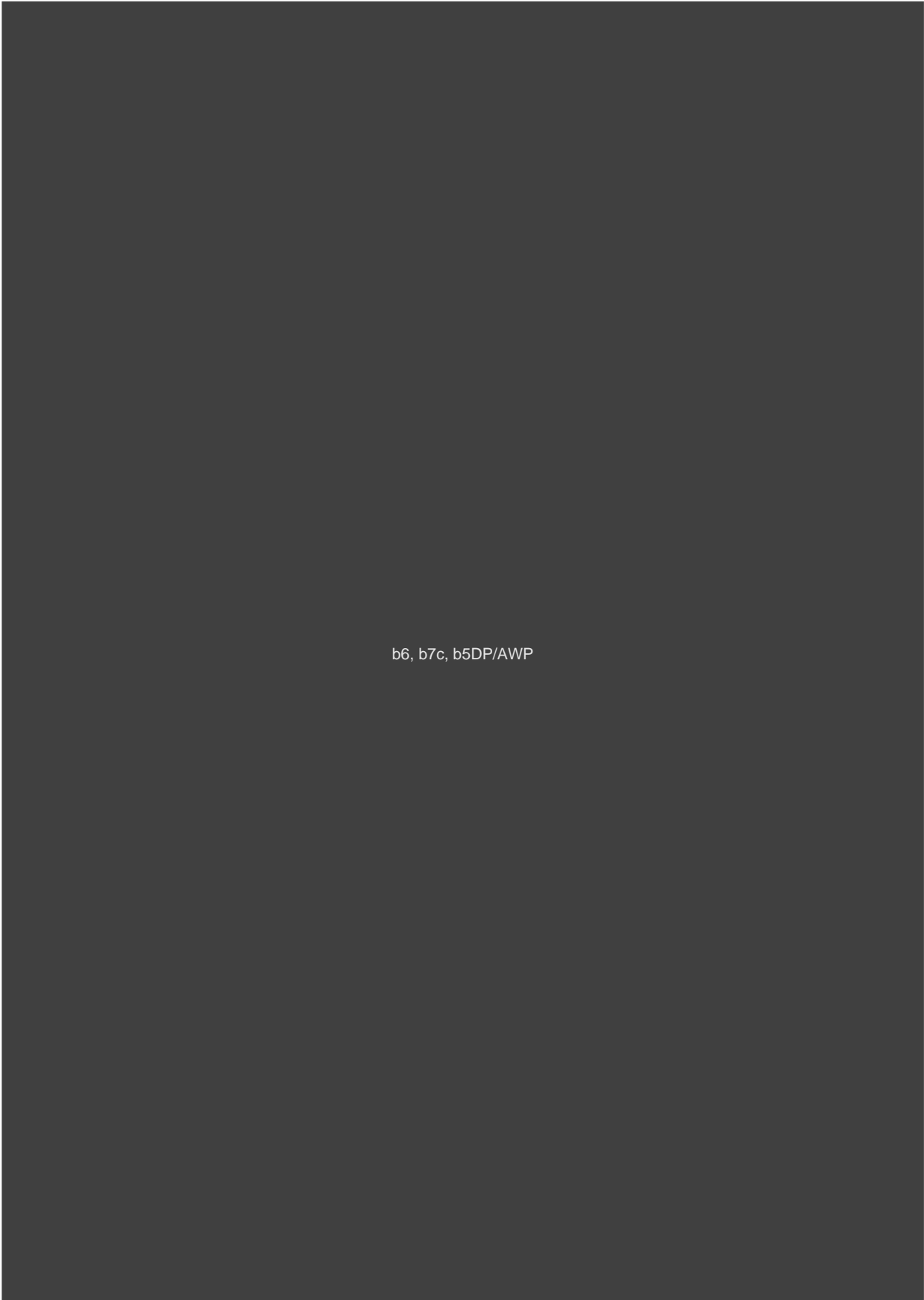
Type of Action: FTCA administrative claims.

Clients/Stakeholders: ERO.



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 04/26/11, 04/25/11, 04/4/11, 03/17/11, 03/09/11, 03/07/11,
01/27/11, 01/24/11, 11/29/10, 10/12/10, 10/01/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil.

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Clients/Stakeholders: ERO and IHSC.



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Recent Agency Corrective Action: ICE has instituted multiple reforms to the medical care of ICE detainees.

Case: [REDACTED] b6, b7c

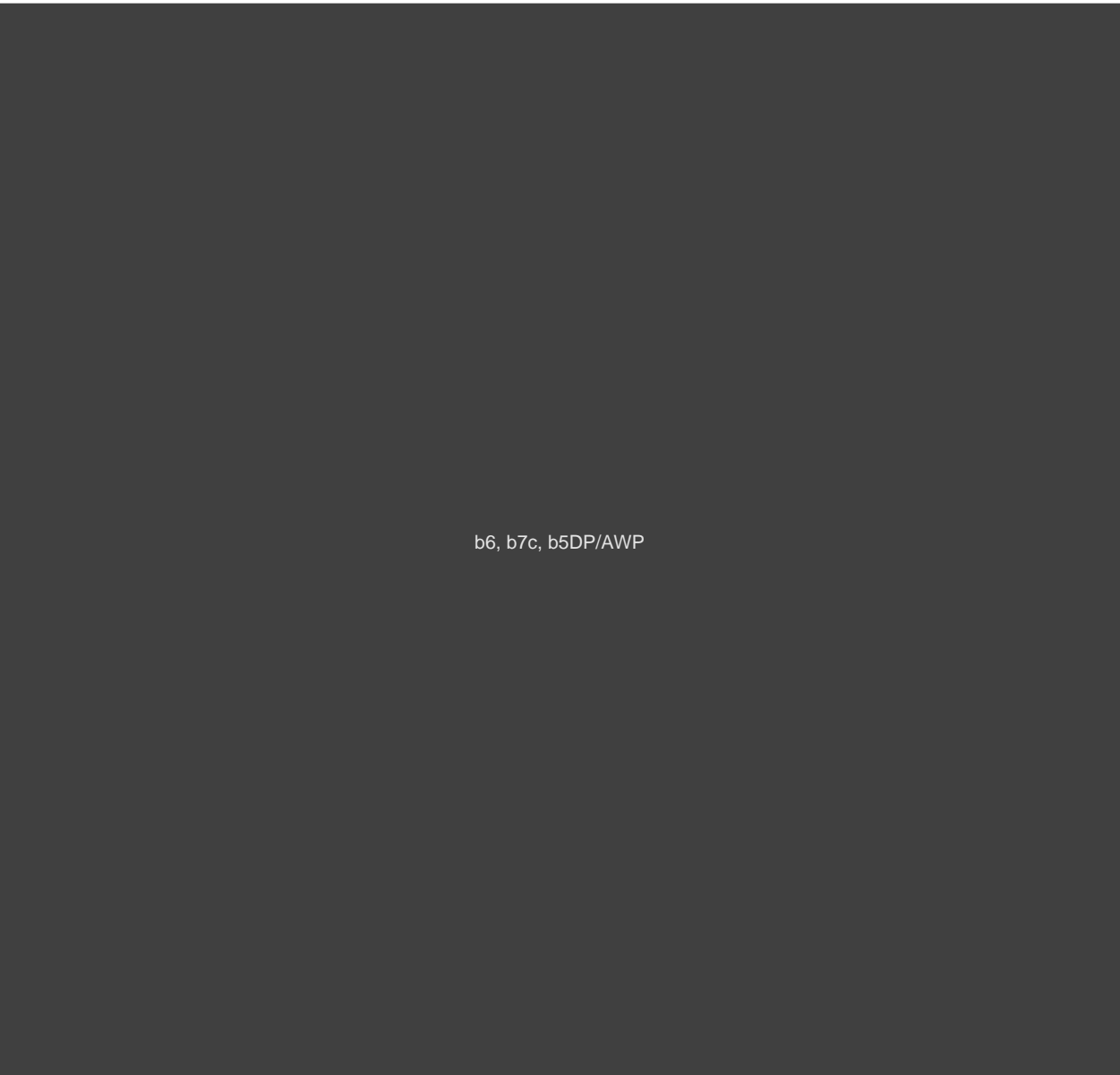
First Reported:

Additional Reports: 10/28/10, 10/18/10, 10/12/10, 10/01/10, 09/30/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

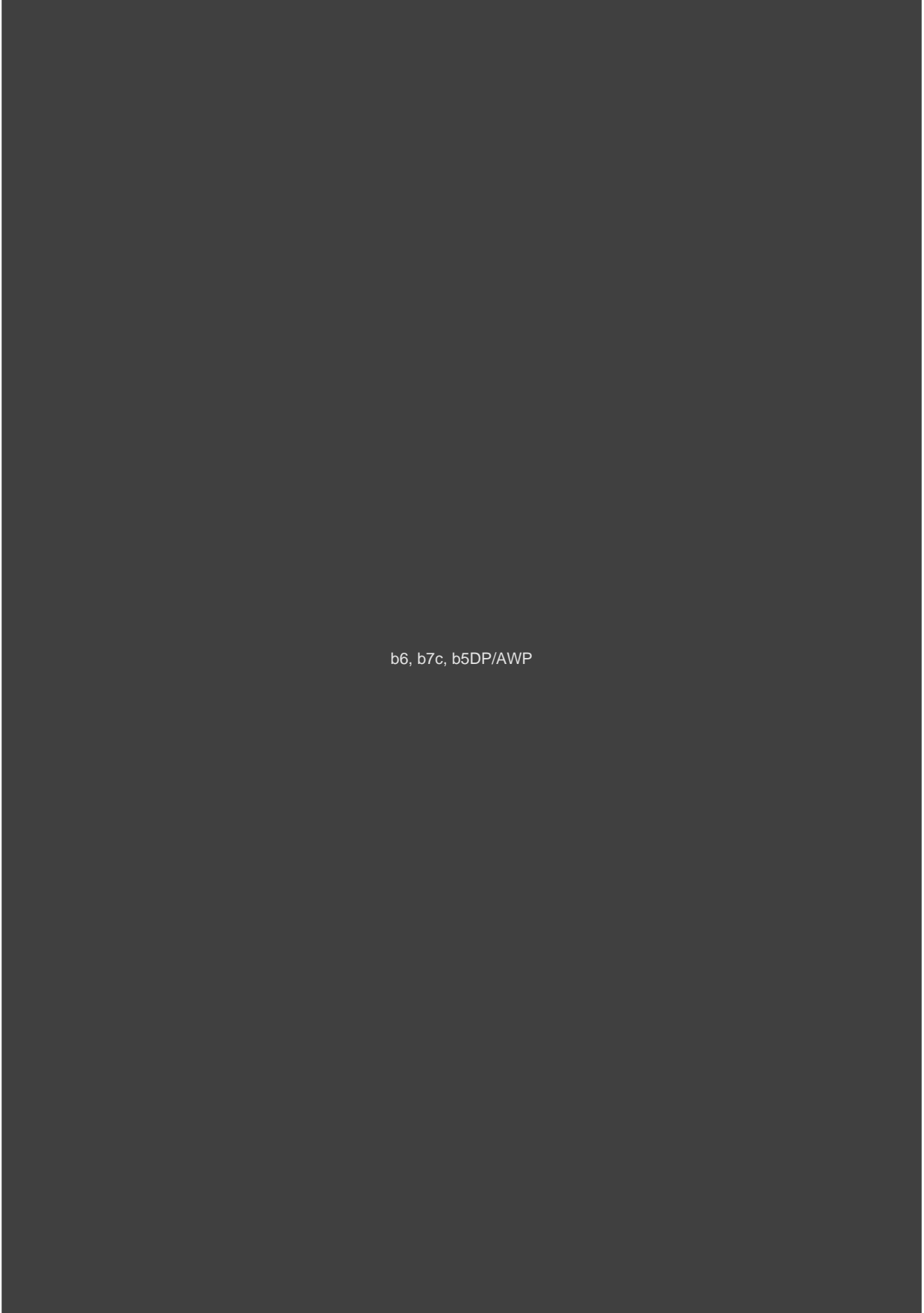
Type of Action: Civil.

Clients/Stakeholders: ERO and HSI.



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported: 08/29/11

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c – DCLD.

Type of Action: Civil – Federal Tort Claims Act (FTCA).

Clients/Stakeholders: HSI SAC San Antonio, Texas.

b6, b7c, b5DP/AWP



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Most Recent Agency Corrective Action: None at this time.

Case: [REDACTED] b6, b7c

First Reported: 09/09/11

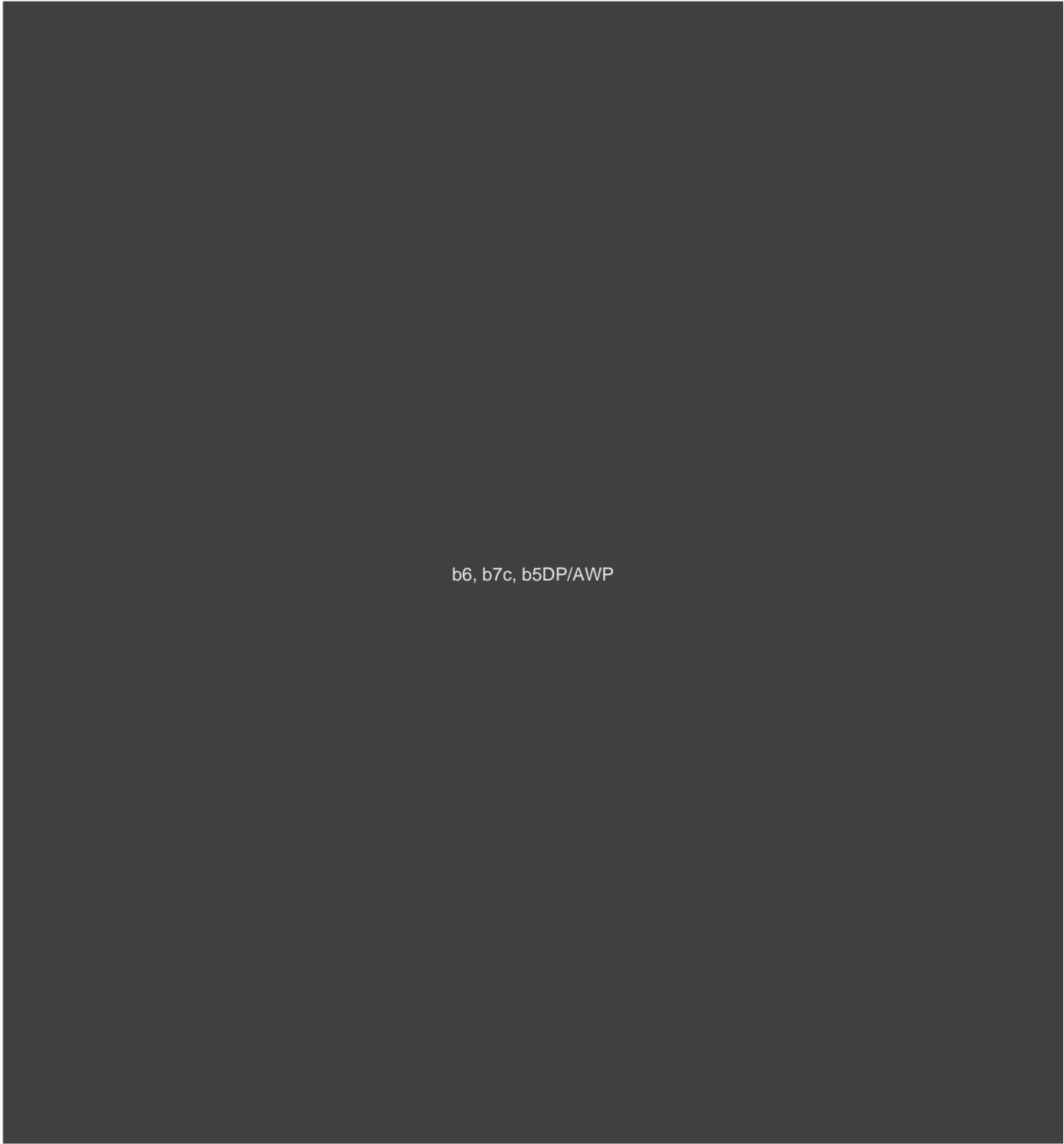
Assigned Attorneys: [REDACTED] b6, b7c – DCLD.

Type of Action: Civil – Federal Tort Claims Act (FTCA) and *Bivens*.

Clients/Stakeholders: Homeland Security Investigations (HSI) Special Agent in Charge (SAC) Los Angeles (LA) and Enforcement and Removal Operations (ERO) Field Office Salt Lake City.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Most Recent Agency Corrective Action: None at this time.

Case: [Redacted] b6, b7c
[Redacted] b6, b7c

First Reported:

Additional Reports: 07/11/11, 05/26/11, 05/16/11, 04/26/11, 04/25/11, 01/18/11, 12/23/10, 12/20/10, 12/15/10, 12/13/10, 11/25/10, 11/08/10

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Assigned Attorneys: [b6, b7c] and [b6, b7c]

Type of Action: Civil.

Clients/Stakeholders: ERO FOD SF and HSI SAC SF



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

The text of CIRSC's proposed notice is as follows:

NOTICE TO IMMIGRANTS IN THE JAIL



b5DP, AC

Agency Corrective Action: None at this time

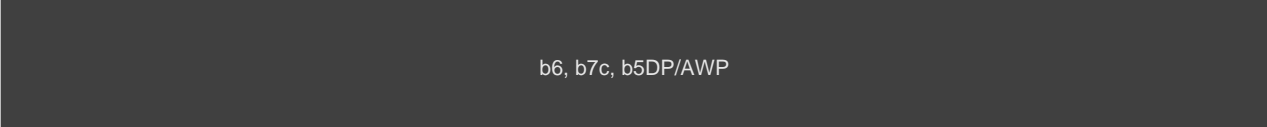
Case: [Redacted] b6, b7c

First Reported: 02/07/11

Assigned Attorneys: [Redacted] b6, b7c and [Redacted] b6, b7c

Type of Action: Civil: *Bivens*.

Clients/Stakeholders: ERO; Secretary Napolitano, former Secretary Chertoff, former Assistant Secretary Myers and former Deputy Assistant Secretary / former ERO Director (now Special Agent in Charge, D.C.) Torres.



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None.

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 07/05/11, 05/26/11, 05/16/11, 02/14/11, 01/31/11, 01/18/11, 12/20/10, 12/15/10, 12/13/10, 12/06/10, 11/29/10, 11/08/10, 10/12/10 (on and before this date, previously reported as Administrative FTCA claim of [REDACTED] b6, b7c

[REDACTED] b6, b7c

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c (with [REDACTED] b6, b7c OCC BOS)

Type of Action: Civil: Federal Tort Claims Act (FTCA) and *Bivens*.

Clients/Stakeholders: ERO FOD BOS/HAR

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c

Case:

b6, b7c

b6, b7c

First Reported:

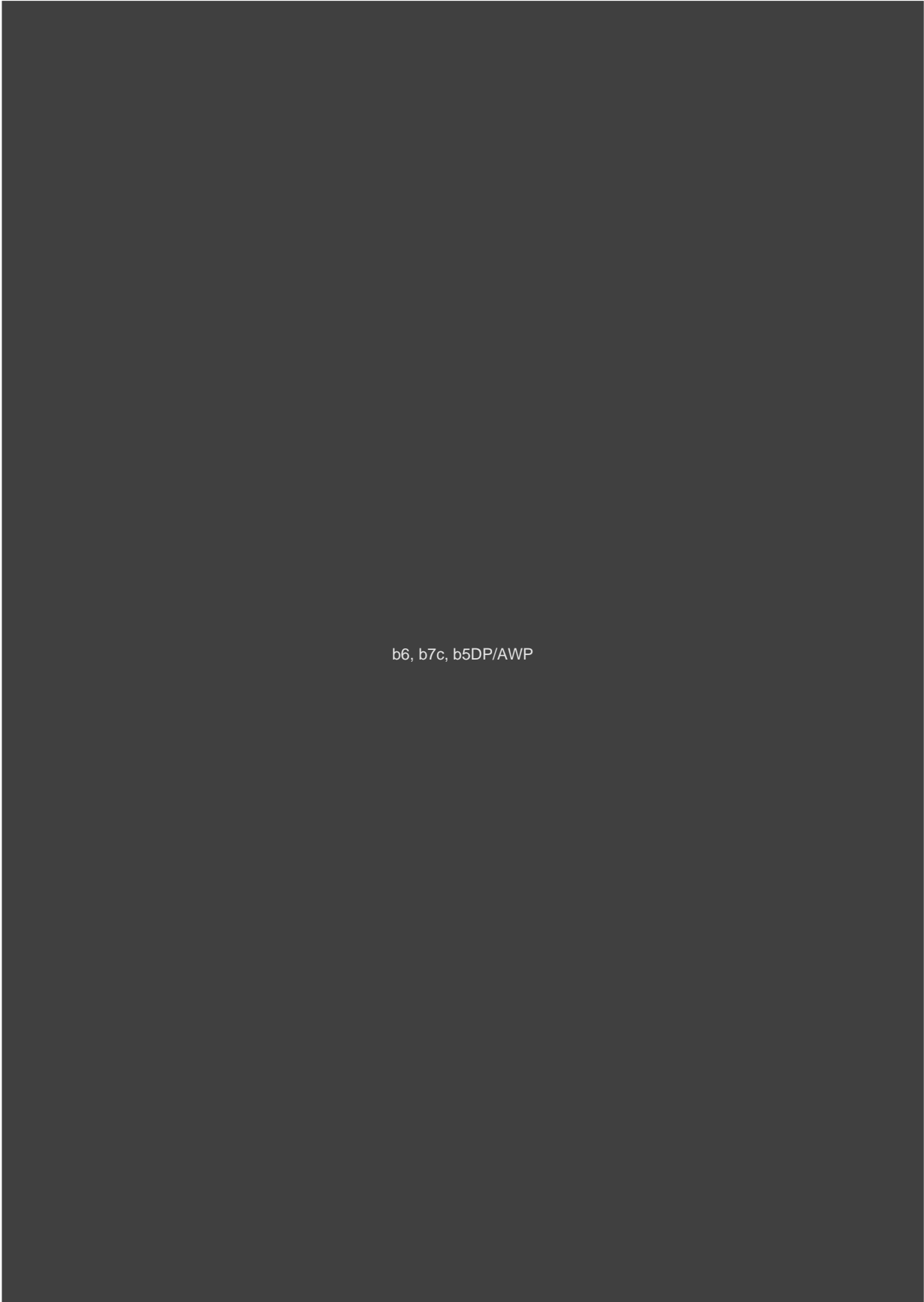
Additional Reports: 03/17/11, 03/14/11

Assigned Attorneys: George Ward and Matthew Gordon

Type of Action: Civil: Preliminary Injunction; Petition for Writ of Habeas Corpus.

Clients/Stakeholders: DOJ-OIL and USAO-CDCA.

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

Recent Agency Corrective Action: None at this time.

Case: [REDACTED] b6, b7c
[REDACTED] b6, b7c

First Reported:

Additional Reports: 03/21/11, 12/28/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: Federal Tort Claims Act (FTCA).

Clients/Stakeholders: ERO and HSI.

[REDACTED]

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None.

Case: [REDACTED] b6, b7c

[REDACTED] b6, b7c

First Reported:

Additional Reports: 08/01/11, 07/18/11, 06/20/11, 05/26/11, 05/23/11, 05/12/11, 05/09/11, 03/28/11, 03/17/11, 03/14/11, 03/09/11, 03/07/11, 12/28/10, 12/15/10, 12/13/10, 12/09/10, 12/06/10, 12/02/10, 11/29/10, 11/25/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: Class Action.

Clients/Stakeholders: ERO FOD Offices in Arizona, California and Washington.

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported: 12/06/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil, *Bivens*.

Clients/Stakeholders: ERO.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Case: [REDACTED] b6, b7c

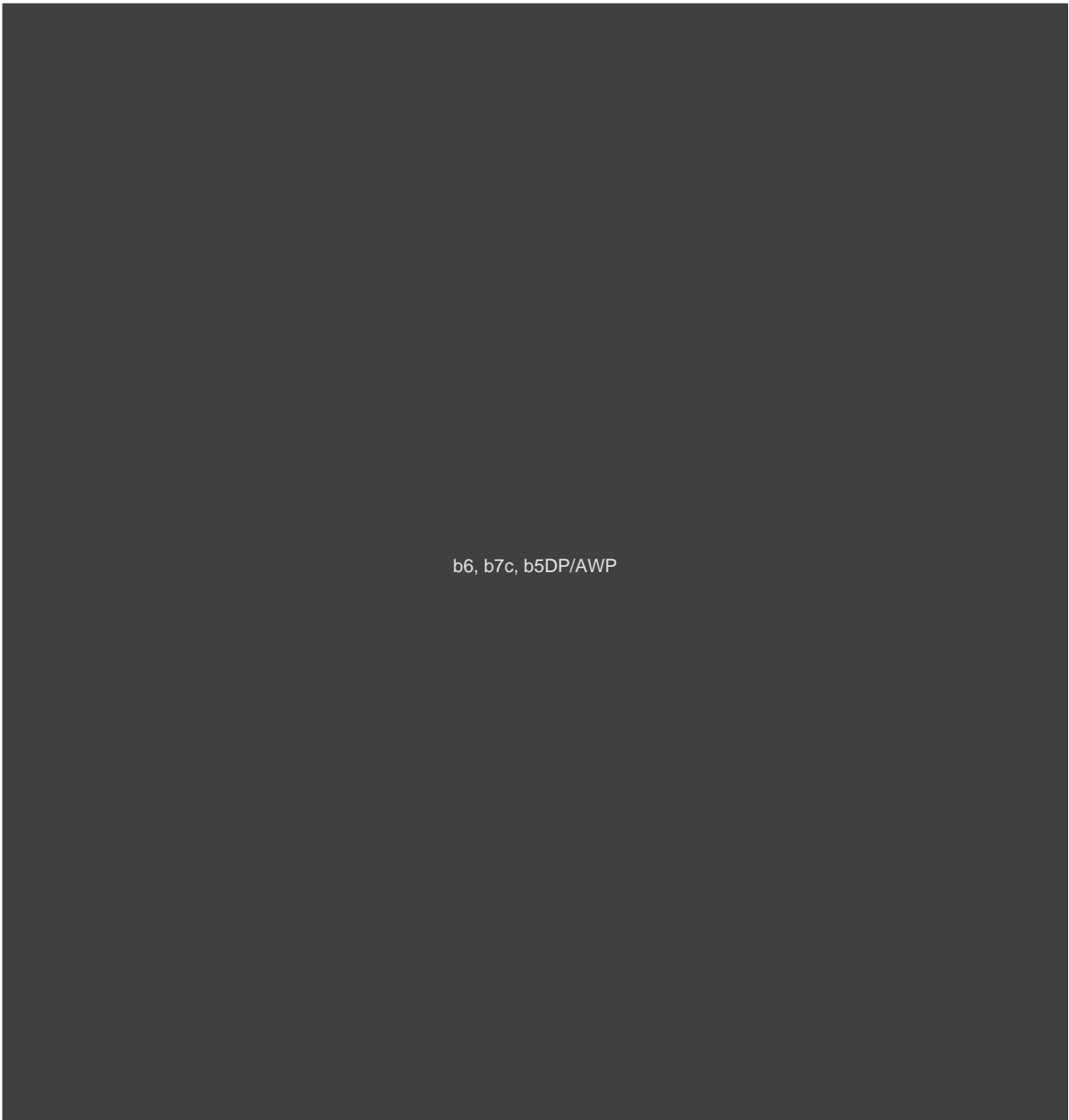
First Reported: 08/01/11

Additional Reports: 08/29/11, 08/23/11

Assigned Attorneys: [REDACTED] (b)(6), (b)(7)(C) – DCLD.

Type of Action: Civil – Federal Tort Claims Act (FTCA).

Clients/Stakeholders: Homeland Security Investigations (HSI) Special Agent in Charge (SAC) Los Angeles (LA).



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Agency Corrective Action: None at this time.

Case: [REDACTED] b6, b7c

First Reported: 12/13/10

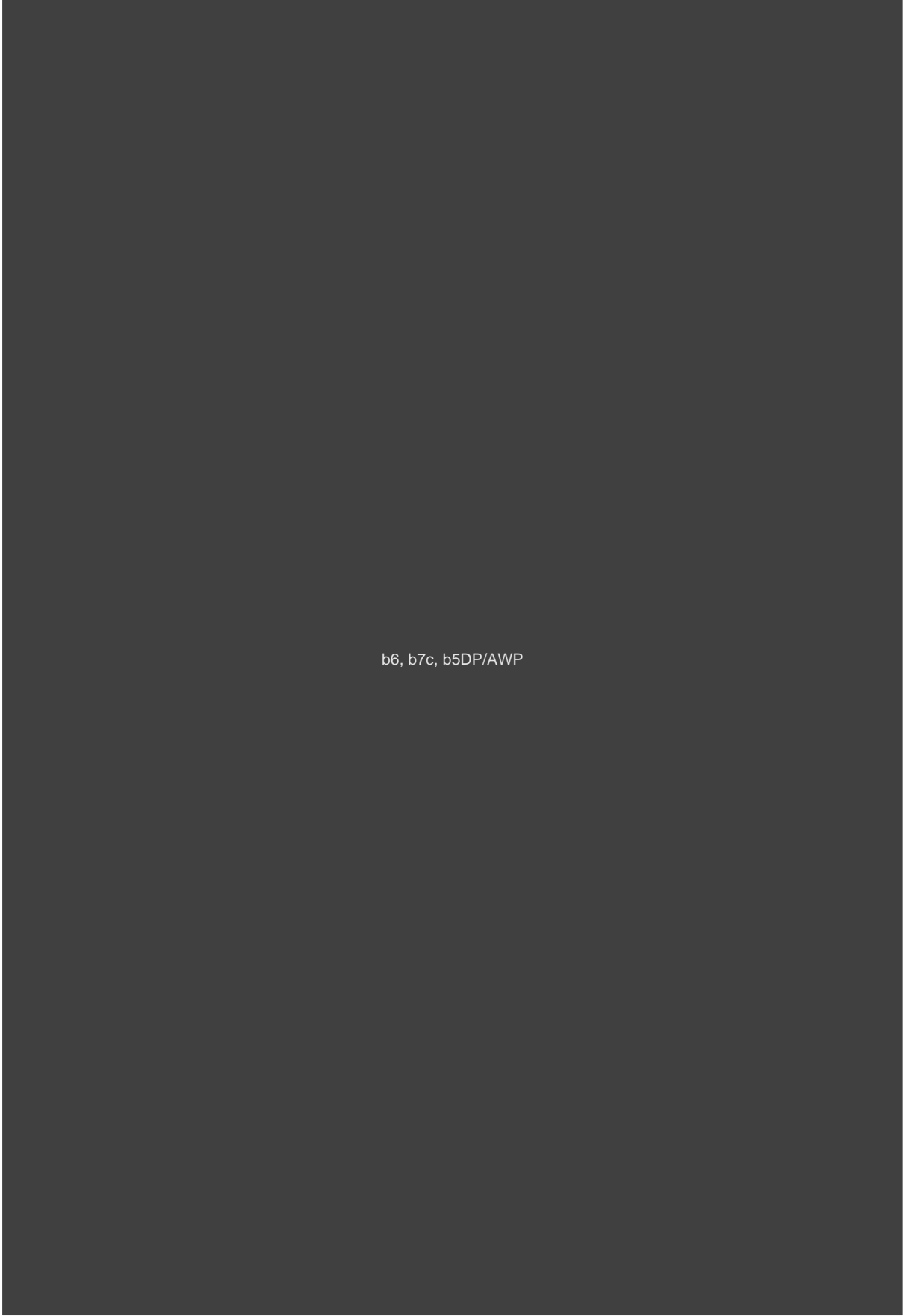
Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil, *Bivens*.

Clients/Stakeholders: HSI/ERO.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case:

b6, b7c

b6, b7c

First Reported:

Additional Reports: 09/06/11, 5/12/11, 05/09/11, 12/28/10, 12/23/10, 12/20/10, 12/15/11, 12/13/11, 12/09/10, 12/06/10, 12/02/10, 11/29/10, 11/25/10, 11/15/10, 11/08/10, 11/01/10, 10/28/10, 10/25/10, 10/18/10, 10/12/10, 10/01/10, 09/30/10, 09/24/10

Assigned Attorneys:

b6, b7c

Type of Action: Civil, Federal Tort Claims Act, and *Bivens*.

Clients/Stakeholders: ERO FOD BOS (HAR)

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)



b6, b7c, b5DP/AWP

Case: [Redacted] b6, b7c

[Redacted] b6, b7c

First Reported:

Additional Report: 12/09/10, 12/06/10, 12/02/10, 11/29/10, 11/25/10, 10/28/10,
10/25/10, 10/18/10

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

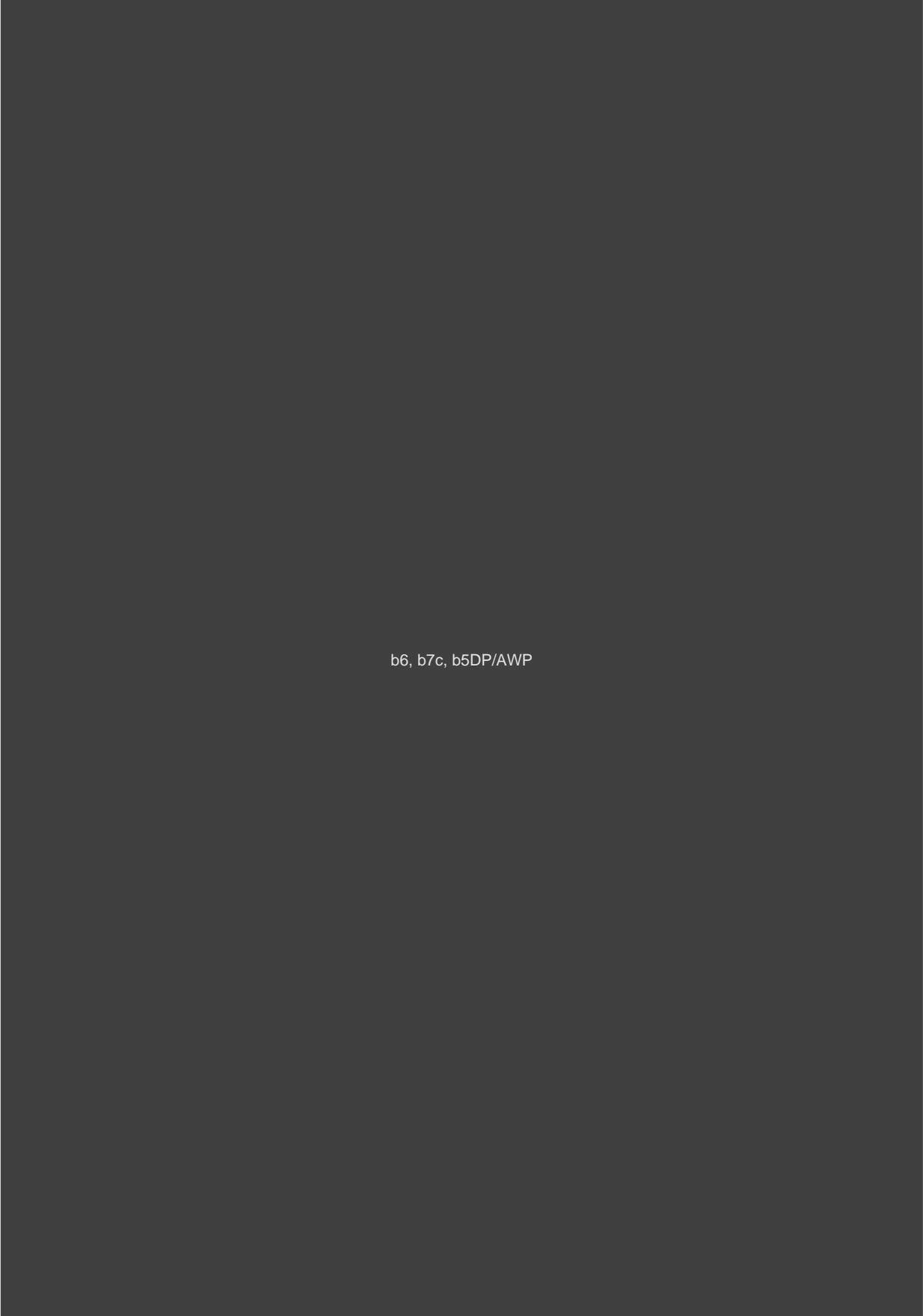
Type of Action: Civil.

Clients/Stakeholders: ERO.



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 03/07/11, 12/02/10 (on and before this date, previously reported as Administrative FTCA claim of Marcia HEADLEY, formerly Angela Cunningham, A 71-879-659 (filed Sept. 22, 2008)), 11/29/10, 10/28/10, 10/18/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c (with [REDACTED] b6, b7c and [REDACTED] b6, b7c —OCC MIA)

Type of Action: Civil: Federal Tort Claims Act (FTCA).

Clients/Stakeholders: ERO.

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] FTCA Administrative Claim of

First Reported: 07/05/11

Assigned Attorneys: [REDACTED] DCLD.

Type of Action: FTCA.

Clients/Stakeholders: ERO FOD CHI.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Agency Corrective Action: None.

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 12/28/10, 12/23/10, 12/20/10, 12/15/10, 12/13/10, 12/09/10, 12/06/10, 12/02/10, 11/29/10, 11/25/10, 11/15/10, 11/08/10, 11/01/10, 10/28/10, 10/25/10, 10/18/10, 10/12/10, 10/01/10, 09/30/10, 09/24/10

Assigned Attorneys: George Ward and Joshua Stanton (with Susan Mathias—GILD)

Type of Action: Putative civil class action against Sheriff Joseph Arpaio and Maricopa County, Arizona.

Clients/Stakeholders: OD and HSI.

[REDACTED]

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: To be determined.

Case: [REDACTED] b6, b7c
[REDACTED] b6, b7c

First Reported:

Additional Reports: 05/26/11, 05/12/11, 04/4/11, 12/23/10, 12/20/10,

Assigned Attorneys: George Ward, Joanna Hall, and Jon Kaplan

Type of Action: Declaratory and Injunctive Relief; and Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d).

Clients/Stakeholders: ERO

b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Pursuant to the terms of the settlement agreement, ICE issued guidance to the Offices of Chief Counsel on joining motions to reopen removal proceedings for juveniles granted SIJ status, designated a point of contact to respond to inquiries concerning juveniles, and posted the agreement on the ICE website.

Case: [REDACTED] b6, b7c

[REDACTED] b6, b7c

First Reported:

Additional Reports: 02/22/11, 01/31/11, 12/23/10, 12/20/10, 12/15/10, 12/13/10,

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: Federal Tort Claims Act (FTCA).

Clients/Stakeholders: ERO.

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: b6, b7c

First Reported:

Additional Reports: 04/18/11, 1/31/11, 01/18/11, 11/25/10, 10/12/10

Assigned Attorneys: Joshua Stanton and Christopher Miller (wth Corina Almeida and Patrick O'Hare, OCC DEN)

Type of Action: Civil.

Clients/Stakeholders: ERO (DEN).

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)



b6, b7c, b5DP/AWP

Case: [Redacted] b6, b7c
[Redacted] b6, b7c

First Reported:

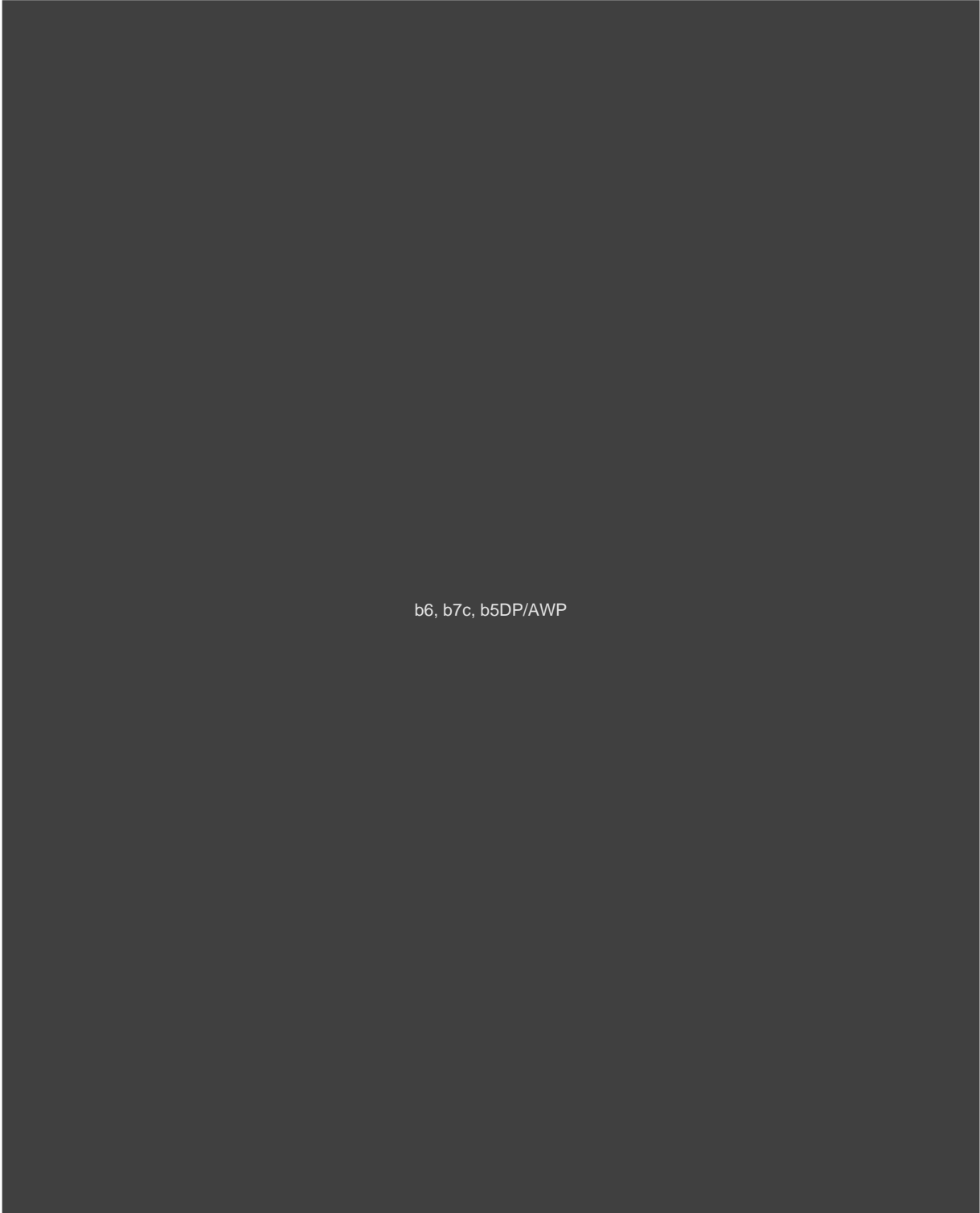
Additional Reports: 12/23/10, 12/09/10, 12/06/10, 10/28/10, 10/18/10, 10/12/10, 10/01/10, 09/30/10

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

Assigned Attorneys: [b6, b7c] and [b6, b7c]

Type of Action: Civil (FTCA) and Criminal.

Clients/Stakeholders: HSI.



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case:

b6, b7c

b6, b7c

First Reported:

Additional Reports: 07/18/11, 05/09/11, 04/26/11, 04/25/11, 01/31/11, 11/25/10

Assigned Attorneys:

b6, b7c

(OCC LOS)

Type of Action: Civil: Injunctive.

Clients/Stakeholders: ERO FOD LOS.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c
[REDACTED] b6, b7c

First Reported: 11/15/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: *Bivens* (against federal officers); FTCA; and 42 U.S.C. § 1983 (against state officers).

Clients/Stakeholders: HSI (HQ OCS and SAC SF).

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**



b6, b7c, b5DP/AWP

Case:

b6, b7c

b6, b7c

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

First Reported:

Additional Reports: 02/14/11, 10/12/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil: *Bivens*.

Clients/Stakeholders: OAS, HSI, and ERO.



b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Recent Agency Corrective Action: None.

Case: b6, b7c

First Reported:

Additional Reports: 12/23/10, 12/20/10, 12/15/11, 12/13/11

Assigned Attorneys: b6, b7c and b6, b7c

Type of Action: Civil, *Bivens*.

Clients/Stakeholders: ERO.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)

b6, b7c, b5DP/AWP

Case: [REDACTED] b6, b7c

First Reported:

Additional Reports: 12/23/10, 12/20/10

Assigned Attorneys: [REDACTED] b6, b7c and [REDACTED] b6, b7c

Type of Action: Civil, FTCA/*Bivens*.

Clients/Stakeholders: LOS OCC, ERO.

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

**Attorney Work Product/Attorney-Client Privileged Communications
FOIA exempt pursuant to 5 U.S.C. § 552(b)(5)**

b6, b7c, b5DP/AWP

Office of the Principal Legal Advisor

U.S. Department of Homeland Security
500 12th Street, S.W., 9th Floor
Mail Stop - 5900
Washington, DC 20536-5706



U.S. Immigration
and Customs
Enforcement

~~ATTORNEY-CLIENT/WORK PRODUCT PRIVILEGED COMMUNICATION~~

MEMORANDUM FOR: JOHN T. MORTON
Assistant Secretary

FROM: PETER S. VINCENT
Principal Legal Advisor

SUBJECT: Request for Department of Justice Representation, b6, b7c

b6, b7c

b6, b7c, b5AWP/AC



U.S. Immigration
and Customs
Enforcement

HEADQUARTERS ENFORCEMENT OPERATION PLAN

Division: Smuggling/Public Safety

Unit: Worksite Enforcement/CIP Unit

Operation Name:

b7e

Case Number:

b7e

et al.

Program Manager(s):

b6, b7c

Contact Number(s): (202) 373

(202) 373

(202) 373

(202) 373

b6, b7c

HQ Case Coordinator:

b6, b7c

, ASAC **Contact Number:** (619) 520

b6, b7c

HQ Case Supervisor:

A/DAD **Contact Number:** (202) 359

b6, b7c

Operation Type:

Criminal search warrants will be executed simultaneously at six (6) large meat packing/processing plants in the Midwestern United States. In addition, it is anticipated that the potential exists for over 4000 administrative and/or criminal arrests of undocumented alien workers in support of a Worksite Enforcement Operation.

Date/Time of Operation: Monday, 12/11/2006 0700 hrs EST (0500 MST, 0600 CST)

Date/Time of IOC Staffing: Monday, 12/11/2006 0500 hrs EST

Location(s) of Operation:

- 1) Swift & Company, 1700 N. Highway 60 NE, Worthington, MN 56187
- 2) Swift & Company, 555 S. Stuhr Road, Grand Island, NE 68801
- 3) Swift & Company, 402 N. 10th Avenue, Marshalltown, IA 50158
- 4) Swift & Company, 900 N. 8th Avenue, Greeley, CO 80631
- 5) Swift & Company, 410 N. 200 West, Hyrum, UT 84319
- 6) Swift & Company, Schoetor Ind. Park, US Hwy 287, Cactus, TX 79013

Type of Premises:

All locations are operating as beef, pork and/or lamb processing plants. Given the nature of the business, it is highly likely that agents will encounter hazardous conditions inside the premises, to include the following: 1) Firearms and other devices used to kill and/or control livestock; 2) Sharp implements and meat cutting knives; and 3) Blood and other processing waste on floors and surfaces inside the plant. All agents will be briefed on safety issues by site and team leaders prior to execution of the warrants, and all agents entering the processing line of the plant will be issued protective gear to minimize the risk of injury and food contamination.

Number of Anticipated Arrests (by city):

It is anticipated that this operation will occur during the first shift of operation at each plant. Investigation to date indicates that the following number of arrests can be expected:

<u>Site</u>	<u>Maximum Arrests</u>	<u>Anticipated Arrests</u>
Worthington, MN	863	432
Grand Island, ME	849	425
Marshalltown, IA	665	333
Greeley, CO	478	239
Hyrum, UT	330	165
<u>Cactus, TX</u>	<u>1,278</u>	<u>639</u>
Totals:	4,463	2,233

Summary of Operation:

On Monday, December 11, 2006, at approximately 0700 hours EST (0500 MST, 0600 CST) ICE agents will simultaneously execute civil search warrants (Blackie's Warrants) for undocumented alien workers at six (6) Swift and Company plants located in six (6) cities throughout the Midwestern United States. ICE agents, wearing clearly marked ICE raid jackets and gear, will secure each arrest location by establishing a perimeter, while the warrant execution team makes contact with plant management. The warrant execution team will request that plant management conduct a phased shutdown of the killing and production line of the plant. ICE agents will then conduct a security sweep of the common areas of the plant (ie. Cafeteria, front offices, etc.) and will request that plant management assist ICE agents in moving all employees to a centralized location within the plant for initial interview. Once the plant is deemed safe and the production line is shut down, agents will begin the interview process of each employee in order to determine citizenship and immigration status. Employees found to be authorized to reside and work in the U.S. will be permitted to leave the interview area in a controlled manner. Those employees who are found to be unlawfully within the U.S. will be further interviewed and separated according to the standardized Processing and Disposition Guidelines developed for this enforcement action (See Attachment "A"). Additionally, those identified for potential criminal prosecution will be interviewed, processed, and moved to the proper judicial district according to the Guidelines for the Identification,

Arrest and Processing of Aliens to be Criminally Prosecuted (See Attachment "B") developed for this enforcement action.

Once the initial triage of the employees is complete, Special Response Team (SRT) agents will search the processing plant in a safe and orderly fashion for absconders and aliens attempting to hide from authorities. Once completed and the plant is deemed secure, the Arrest Site Leader will permit unauthorized employees, who are going to be removed by ICE from the plant, to return to their lockers, if desired, to gather personal belongings. After the unauthorized employees have gathered personal belongs, ICE agents and uniformed Detention and Removal Office (DRO) personnel will escort arrested aliens to DRO vehicles for transport to designated processing sites.

Upon completion of the Blackie's Warrant execution, agents will report to their designated alien processing site or another location as determined by their on-scene supervisor.

On-Site Executive Management Team:

In addition to an Arrest Site Leader, each arrest location will have representatives from the ICE executive management team from the affected ICE office at the site to address any concerns from local Congressional staff, the media, and/or senior company officials. This on-site executive management team shall consist of the Special Agent in Charge of the ICE office having jurisdiction over the arrest site, along with the DRO Field Operations Director having oversight over that same area. In instances where an affected SAC and FOD office have multiple arrest locations within their area of responsibility, the SAC and FOD may designate another senior management official from within their respective offices to represent executive management at those other locations. The on-site executive management team will also work closely with on-site representatives from the Office of Public Affairs, who will provide talking points to the team to address any media or Congressional inquiries at the arrest site.

ON-SITE EXECUTIVE MANAGEMENT TEAM

Location	SAC or Designee	FOD or Designee
Worthington, MN	SAC Mark Cangemi (St. Paul)	John Longshore
Grand Island, NE	ASAC [REDACTED] b6, b7c	TBD
Marshalltown, IA	ASAC [REDACTED] b6, b7c	[REDACTED] b6, b7c
Greeley, CO	SAC Jeff Copp	[REDACTED] b6, b7c
Hyrum, UT	SAC Charles Demore	Steve Branch
Cactus, TX	SAC John Chakwin (Dallas)	Nuria Prendes

Arrest Site Leaders:

Arrest Site Leaders will be the officers in charge for their designated arrest location and will supervise each phase of the Blackie's Warrant execution. They will also act as the primary liaison between their assigned arrest location and the corresponding HQ National Program Manager in the HQ IOC for reporting purposes while at the arrest location. At a minimum, the Arrest Site Leaders will report to their IOC POC as soon as practicable:

- 1) Time of departure from the designated staging area;
- 2) Time of execution of the Blackie's warrant at their location;
- 3) Time that the plant is deemed secure and the approximate number of unauthorized aliens encountered;
- 4) Time that all detained aliens have been turned over to DRO for transport to designated processing site and the final number of all aliens transported (broken down by anticipated processing disposition (if possible), and processing site destination);
- 5) Total number of unauthorized aliens encountered and their respective processing dispositions (VR, NTA, Re-instatement of Removal)
- 6) Number of unauthorized aliens encountered and not transported for humanitarian reasons (i.e. Served with a NTA and then released on recognizance)
- 7) Number of aliens turned over to state or local law enforcement for outstanding warrants, etc.
- 8) Time that all ICE personnel have cleared the arrest site.

In addition, Arrest Site Leaders will *immediately* report any non-routine incidents to their IOC POC as soon as practicable, to include serious injury or medical emergency involving an ICE officer or arrestee, discharge of a firearm, use of non-deadly force involving discharge of OC spray or use of a collapsible steel baton.

Arrest Site Leaders, and/or on site Group Supervisors, will be consulted on a case-by-case basis when NCIC checks, or other record checks, will be run on United States Citizens and on aliens authorized to work in the United States. As per the Office of the Principal Legal Advisor, these checks should be run sparingly in an effort to limit the amount of time authorized employees are detained by ICE.

Once the arrest location is cleared, Arrest Site Leaders will report to the nearest processing site for coordination of alien processing and statistical reporting to the ICE IOC. The Arrest Site Leaders will designate a Processing Site Leader (Group Supervisor or above) for each shift to be the primary point of contact for reporting to the IOC in his/her absence. If the Processing Site Leader is responsible for multiple processing locations, he/she will designate senior personnel at those other locations to report processing results to the Processing Site Leader, who will report to the IOC at the required intervals (see below for Processing Site Reporting Requirements).

ARREST SITE LEADERS

Location	Site Leader	Cellular Phone
Worthington, MN	b6, b7c	(802) 316- [REDACTED]
Grand Island, NE		(912) 577- [REDACTED]
Marshalltown, IA		(313) 580- [REDACTED]
Greeley, CO		(303) 472- [REDACTED]
Hyrum, UT		(415) 559- [REDACTED]
Cactus, TX		(214) 287- [REDACTED]

Processing Site Locations:

- 1) Worthington, MN Plant
 - a) O/R's and El Salvadorans – RAC Sioux Falls, 300 E. 8th Street, Sioux Falls, SD
 - b) V/R's and all detained aliens – Camp Dodge, 7105 NW 70th Avenue, Johnston, IA
- 2) Grand Island, NE Plant
 - a) O/R's – RAC Grand Island, 220 N. Walnut Street, Grand Island, NE
 - b) V/R's and all detained aliens – Camp Dodge, 7105 NW 70th Avenue, Johnston, IA
- 3) Marshalltown, IA Plant
 - a) O/R's, V/R's and all detained aliens – Camp Dodge, 7105 NW 70th Avenue, Johnston, IA
- 4) Greeley, CO Plants (beef & lamb)
 - a) O/R's, V/R's and all detained aliens – One Denver Federal Center, Sixth Avenue & Kipling, Bldg. 810, Denver, CO
- 5) Hyrum, UT Plant - All arrested aliens (to include V/R's, O/R's and detained aliens) will be distributed among the following ICE offices for processing:
 - a) RAC Odgen – 2487 S. 1620 West, Unit E, Ogden, UT
 - b) DRO Salt Lake City – 5272 S. College Drive, Murray, UT
 - c) RAC Provo – 1793 W. Business Park Drive, Orem, UT
- 6) Cactus, TX Plant
 - a) O/R's – Amarillo Border Patrol Station, 205 E. 5th Street, Amarillo, TX
 - b) V/R's – DRO El Paso Service Processing Center, 8915 Montana Avenue, El Paso, TX
 - c) Detained Aliens – Amarillo Border Patrol Station, 205 E. 5th Street, Amarillo, TX and DRO/Albuquerque, 1720 Randolph Rd. SE, Albuquerque, NM 87106

Processing Site Reporting Requirements:

Processing Site Leaders will be responsible for providing statistical updates to their points of contact in the HQ IOC every three (3) hours, beginning at 1200 hours EST on December 11, 2006, and continuing until all aliens have been processed and released (in the case of O/R's) or turned over to ICE DRO for detention and/or voluntary return to Mexico.

Reports will be made telephonically to the appropriate HQ National Program Manager at the ICE IOC at (202) 616- [b7e] In addition, Processing Site Leaders or his/her designee will submit updated Alien Processing Tracking Sheets (See Attachment "B") for each processing site in his/her area of responsibility every three hours (beginning at 1500 hours EST on December 11, 2006) to their assigned HQ NPM through email to the IOC at:

[b7e]

Headquarters IOC Staffing:

The IOC will be staffed 24 hours a day for the duration of this operation, beginning at 0500 hours EST on Monday, December 11, 2006. Staffing responsibilities will be provided by Division 3 – Smuggling/Public Safety Investigations and will consist of one shift supervisor, four (4) National Program Managers or Senior Special Agents and two (2) Investigative Assistants/Intelligence Analysts for each 12-hour shift.

The IOC Shift Supervisor will be responsible for providing status reports to the HQ Management Command Center on an hourly basis (or more often, as needed) during the execution of the search warrants at the arrest locations. He/she will also provide regular statistical reporting updates to the HQ MCC as requested, and will immediately notify the HQ MCC of any unusual incidents reported from the field during the search warrant execution or at any of the alien processing sites, to include serious injury or medical emergency involving an ICE officer or arrestee, discharge of a firearm, use of non-deadly force involving discharge of OC spray or use of a collapsible steel baton. The IOC Shift Supervisor will maintain an Incident/Notification Log (See Attachment "C") to document all significant incidents and notifications from the field and from other HQ Management and WSE staff, as appropriate. The IOC staffing schedule is as follows:

HQ IOC STAFFING - MONDAY, DECEMBER 11, 2006

0500-1700 hrs		Areas of Responsibility
NPM	[b6, b7c]	Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM		Arrest Sites - Worthington, MN; Marshalltown, IA Processing Sites – Camp Dodge, RAC Sioux Falls
NPM		Arrest Sites – Greeley, CO; Grand Island, NE Processing Sites – Denver, CO; RAC Grand Island

NPM	b6, b7c	Arrest Site – Hyrum, UT Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
NPM		Arrest Site – Cactus, TX Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A IA TBD	b6, b7c	Will compile statistical reports provided by NPM's for display on IOC screens

1700-0500 hrs		Areas of Responsibility
NPM		Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM	b6, b7c	Arrest Sites - Worthington, MN; Marshalltown, IA Processing Sites – Camp Dodge, RAC Sioux Falls
NPM		Arrest Sites – Greeley, CO; Grand Island, NE Processing Sites – Denver, CO; RAC Grand Island
SSA (Detailed)		Arrest Site – Hyrum, UT Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
SSA (Detailed)	b6, b7c	Arrest Site – Cactus, TX Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A IA TBD	b6, b7c	Will compile statistical reports provided by NPM's for display on IOC screens

HQ IOC STAFFING - TUESDAY, DECEMBER 12, 2006

0500-1700 hrs		Areas of Responsibility
NPM		Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM		Processing Sites – Camp Dodge, RAC Sioux Falls
NPM	b6, b7c	Processing Sites – Denver, CO; RAC Grand Island
NPM		Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
NPM		Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A IA TBD	b6, b7c	Will compile statistical reports provided by NPM's for display on IOC screens

1700-0500 hrs		Areas of Responsibility
NPM		Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM	b6, b7c	Processing Sites – Camp Dodge, RAC Sioux Falls
NPM		Processing Sites – Denver, CO; RAC Grand Island
SSA b6, b7c		Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City

SSA [REDACTED] b6, b7c	Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A [REDACTED] b6, b7c IA TBD	Will compile statistical reports provided by NPM's for display on IOC screens

HQ IOC STAFFING - WEDNESDAY, DECEMBER 13, 2006

0500-1700 hrs	Areas of Responsibility
NPM [REDACTED]	Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM [REDACTED]	Processing Sites – Camp Dodge, RAC Sioux Falls
NPM [REDACTED]	Processing Sites – Denver, CO; RAC Grand Island
NPM [REDACTED]	Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
NPM [REDACTED]	Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A [REDACTED] b6, b7c IA TBD	Will compile statistical reports provided by NPM's for display on IOC screens

1700-0500 hrs	Areas of Responsibility
NPM [REDACTED]	Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM [REDACTED]	Processing Sites – Camp Dodge, RAC Sioux Falls
NPM [REDACTED]	Processing Sites – Denver, CO; RAC Grand Island
SSA [REDACTED]	Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
SSA [REDACTED]	Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A [REDACTED] b6, b7c IA TBD	Will compile statistical reports provided by NPM's for display on IOC screens

HQ IOC STAFFING - THURSDAY, DECEMBER 14, 2006

0500-1700 hrs	Areas of Responsibility
NPM [REDACTED]	Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM [REDACTED]	Processing Sites – Camp Dodge, RAC Sioux Falls
NPM [REDACTED]	Processing Sites – Denver, CO; RAC Grand Island
NPM [REDACTED]	Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
NPM [REDACTED]	Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A [REDACTED] b6, b7c IA TBD	Will compile statistical reports provided by NPM's for display on IOC screens

1700-0500 hrs	Areas of Responsibility
NPM [REDACTED]	Shift Supervisor – Will act as liaison between the IOC and the HQ Management Command Center
NPM [REDACTED]	Processing Sites – Camp Dodge, RAC Sioux Falls
NPM [REDACTED]	Processing Sites – Denver, CO; RAC Grand Island
SSA [REDACTED] b6, b7c	Processing Site – RAC Provo, RAC Ogden, DRO Salt Lake City
SSA [REDACTED] b6, b7c	Processing Sites – Amarillo BP Station; El Paso SPC; DRO/Albuquerque
I/A IA TBD	Will compile statistical reports provided by NPM's for display on IOC screens

HQ Management Command Center:

The HQ Management Command Center will be comprised of ICE senior level managers from all affected divisions, to include representatives from Division 3 Smuggling/Public Safety Investigations, Congressional Affairs, Facilities Management, Financial/Logistics Management, Investigative Service, Mission Support, Office of Information Technology, Public Affairs, Office of Detention and Removal and the Office of the Principal Legal Advisor. The MCC will be located in the conference room of the IOC, Room 4231, CAB, 425 "I" Street, Washington, DC.

The MCC will receive status reports from the IOC Shift Supervisor on an hourly basis (or more often, as needed) regarding the status of the execution of the Blackie's Warrants at each arrest location. Designated representatives from the HQ MCC will also provide regular operational and statistical updates to the Office of Director as requested, and will immediately report any serious incidents (such as officer-involved shootings, serious injury to an agent or arrestee, etc.) to the appropriate point of contact within the Office of the Director.

The HQ MCC will be staffed as follows:

HQ Management Command Center (Phone 202-343-[REDACTED] Fax 202-514-7710)

Name	Title	Division/Office	Responsibilities
[REDACTED] b6, b7c	Acting Deputy Assistant Director	Office of Investigations	Providing regular operational and statistical updates from the IOC to the Acting Asst. Director and Director
[REDACTED]	Field Office Director	Office of Detention and Removal	Providing regular operational and statistical updates from DRO personnel in the IOC to the Director, DRO

Dan Ragsdale	Chief – Enforcement Law Division	Office of the Principal Legal Advisor	Providing guidance to OPLA attorneys in the field and reporting any legal issues to the Chief Legal Advisor
b6, b7c	Congressional Affairs	Congressional Affairs	Providing regular updates to affected Congressional offices and answering queries from Congressional staff
TBD	Acting Director, Public Affairs	Public Affairs	Providing guidance to PAO's at the arrest/processing site and coordinating press releases with the USAO, Southern District of Iowa and other affected USAO's.
b6, b7c	Office of Information Technology	Mission Support	Coordinating efforts of IT staff in the field at processing sites and ensuring continuity of IT capabilities
	Deputy Assistant Director	Mission Support	Providing guidance to Administrative Officers in the field and at HQ regarding emergency procurement needs
	Acting Deputy Assistant Director	Investigative Services	Provide guidance to field regarding coordination with the LESC and FDL

Additional Division 3 Staffing:

The Division 3 Worksite Enforcement/Critical Infrastructure Protection Unit will also have case coordinators and other personnel operating in the CAB in Room 1000. Their contact information is as follows:

Name	Title/Role	Office Number	Cell Number
b6, b7c	ASAC - HQ Case Coordinator	4- [redacted]	(619) 520- [redacted]
	Unit Chief – WSE/CIP Unit	6- [redacted]	(202) 528- [redacted]
	Acting Sect. Chief, WSE Ops.	7- [redacted]	(404) 925- [redacted]
	NPM – Lead Swift NPM	3- [redacted]	(202) 373- [redacted]
	NPM – Secondary Swift NPM	3- [redacted]	(202) 373- [redacted]

Congressional Notifications:

OCR will notify key staff of the Congressional Members within the six (6) states where enforcement actions are to be conducted. In addition and concurrently, OCR will notify key committees and leadership. Post-operation notification will be coordinated with public affairs and consist of a telephonic briefing to be held later that day, as well as follow-up e-mail notification, containing updated information and talking points. If requested, OCR will coordinate individual congressional briefings both in and out of the Washington D.C. area.

Approvals:

This Headquarters Operational Plan has been reviewed and approved for implementation.

b6, b7c	_____	_____
Deputy Asst. Director, Office of Investigations	Signature	Date

b6, b7c	_____	_____
Assistant Director, Office of Investigations	Signature	Date

_____	_____	_____
Marcy M. Forman Director, Office of Investigations	Signature	Date

Attachments:

- (1) Attachment "A" – Alien Disposition/Processing Guidelines
- (2) Attachment "B" – Alien Processing Tracking Sheet
- (3) Attachment "C" – IOC Incident/Notification Log
- (4) Attachment "D" – List of Consulates and Embassies with offices in the U.S.

INTERVIEWING ALIENS OF INTEREST in National Security Cases

**Office of the Principal Legal Advisor
National Security Law Division
2009**



**U.S. Immigration
and Customs
Enforcement**

CASE BY CASE

Contact OCC



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000737

WHO can interview?

8 CFR § 287.5, 8 CFR § 103.1(b)
(immigration officer)

19 USC § 1589a (Customs officer)



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000738

DETAINED OR NOT?



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000739

IN PROCEEDINGS?

CRIMINAL OR ADMINISTRATIVE?



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000740

5

FINAL ORDER cases



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000741

REPRESENTED?

Right to Counsel – INA
§§ 240(b)(4)(A), 292



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000742

7

MIRANDA OR NOT?

Custody Interrogation



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000743

Third Agency Visits

ICE agents present?



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000744

ATTORNEYS

<http://www.abanet.org/cpr/links.html>



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000745

10

HYPOS

???'s



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000746

11



U.S. Immigration and Customs Enforcement



U.S. Immigration
and Customs
Enforcement

National Security Law Division

2009
2012FOIA8229.000747

12

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE

HUTTO FAMILY DETENTION CENTER

Case No. A-07-CA-164-SS

REPORT TO PARTIES OF PERIODIC REVIEW OF FACILITY

The undersigned submits the following report to the Parties of the above-styled case, as called for in ¶ 9 of the Parties' Settlement Agreement, executed on August 26, 2007.

I. Background

The compliance inspection took place on December 12, 2007, and lasted from approximately 9:00 a.m. to 5:30 p.m., with a 45 minute lunch break. Advance notice of the precise day of the inspection was not provided, although the Parties were aware that the inspection was required to take place by December 29, 2007 (four months from the effective date of the Settlement Agreement). Assisting the undersigned were [REDACTED] (law clerk), [REDACTED] (Spanish language interpreter), and [REDACTED] (Deputy U.S. Marshal, also acted as interpreter) (collectively, the "inspection group").

The inspection started with a meeting with the ICE and CCA administrators, [REDACTED] and [REDACTED] along with Acting (Resident) Officer in Charge, [REDACTED] and another assistant administrator, [REDACTED]. At the meeting the undersigned went over ground rules for the review, and received complete cooperation from the ICE and CCA. The inspection group visited every occupied pod,¹ the cafeteria, the medical and dental offices, the commissary, the recreation

¹The only pods that were occupied at the time of the inspection were in "A" Hall. According to a letter dated September 28, 2007, from [REDACTED] to [REDACTED] the facility is considering using "B" Hall to house adult female detainees. While the September letter indicated that "these changes would probably be in effect by the time" of my review, they had not in fact been

facilities, the library, the visitation area, the classrooms, the office/administrative area, the computer lab, and the intake area. The group also interviewed approximately 20 residents (some in groups, some individually), as well as four detention officers, a case manager, the medical staff, some teachers, and the administrators. We reviewed numerous documents, many of which were prepared for us (prior to our visit and without request) by ICE and CCA, and some of which were provided in response to specific requests we made during the inspection. The documents provided in response to our request included such items as cafeteria menus, along with records of actual items served for the past 30+ days, the resident handbook, teacher certification materials, and lists of movies displayed and recreation events planned or held. We were also provided a large binder prepared by CCA and ICE in advance of our visit, which contained detailed information documenting changes made to, and items acquired for, the facility in response to the Settlement Agreement requirements. We were also provided with copies of the letters required by ¶ 6(D) of the Settlement Agreement, as well as a spreadsheet indicating when the Field Office Director has conducted a review of individual cases.

II. Findings

A. Scope of review

The scope of the review required by the Settlement Agreement is clearly delineated in ¶ 7, which states that the undersigned will “verify ongoing compliance with conditions reforms listed in Exhibits B and C, and the periodic reviews conducted pursuant to Paragraphs 6(C) and 6(E) of the Agreement.” It requires that after the on-site review, I will “report to the Parties regarding

implemented when I conducted my inspection. Accordingly, I offer no opinion on the impact any such change may have on the conditions for the families housed at the facility.

compliance, identifying all conditions noted to be deficient and making recommendations for resolving the deficiencies.” Exhibits B and C are detailed itemizations of conditions reforms, set out in checklist form. Consistent with the Agreement, we limited our inspection to verifying compliance with Exhibits B and C, and to reviewing the materials provided regarding ¶ 6, and this report is similarly limited. Because the report is only required to address “conditions noted to be deficient,” it will not list all of the items on which there has been compliance. Rather, only non-compliant (or problematic) items will be discussed, and thus any item on Exhibit B or C not addressed below is an item on which the undersigned finds that ICE is in compliance under the Settlement Agreement.

B. Non-compliant or problematic items

1. Orientation and handbook

Two Settlement Agreement items are at issue here. The first is in Exhibit B and requires that:

Residents are provided with a handbook reflecting current rules and policies. The Handbook is updated within reasonable time after rule and policy changes are made.

Exhibit B, p. 4, “Orientation.” The second is found in Exhibit C and states that:

Orientation explaining rules, services, expectations, and the availability of legal assistance provided to new residents.

Exhibit C, p. 4, “Orientation.”

While all residents interviewed reported having received an orientation session, it appeared that the quality of the orientation differed greatly from resident to resident. Some reported receiving fairly detailed, hour-long sessions, while others reported their orientations were much shorter and more perfunctory. A careful orientation is essential to residents understanding the rules of the facility, and it appears possible that some residents’ lack of awareness of changes that have been made pursuant to the Settlement Agreement (more on that below) is a result of their orientation

session perhaps not being thorough enough. Further, we were shown a Spanish language copy of the handbook received by a resident who had been at the facility two weeks, and that handbook still contained language providing that room searches could be conducted on a routine basis. Thus, it appears that some residents are being provided with outdated handbooks.

The remedy to these problems is to ensure that orientations are consistent. We were told that an initial, brief orientation takes place at the intake center, but that the responsibility for the “full” orientation session falls on the case workers, who conduct the orientations on a case-by-case basis within 24 hours of a resident arriving at the facility. It did not appear that a checklist is used for the orientations. I recommend that orientation be more formalized and include a checklist to ensure that all items are covered. It is also possible that more case workers are necessary to ensure that there is adequate staff to cover the orientation needs, along with all of the other duties case workers cover. The facility should also consider whether consolidating orientation sessions would improve the consistency with which the orientation material is presented. This might slightly increase the time between when a resident arrives at the facility and when the full orientation session takes place, but it would have the positive effect of ensuring that all orientation sessions are consistent, and complete.

With regard to the handbook, the remedy is straightforward. All outdated handbooks must be removed, and the intake officers must ensure that only current, up-to-date handbooks are given to residents. ICE and CCA provided us with a copy of the handbook indicating that it was revised “11/1/07,” which appears to reflect the changes made by the Settlement Agreement. The intake officers and case managers should ensure that only current handbooks are distributed to residents.

2. Mental Health Services

There are three requirements at issue on this topic. Exhibit B provides that:

Subject to the availability of qualified and willing candidates, the facility has a Spanish-speaking social worker for on-site counseling.

Exhibit B, p. 6, "Mental Health." Exhibit C adds that:

Minors have available to them a session with [a] social worker once per week.

and

Acculturation and adaptation services, containing information on social and interpersonal skills, are available.

Exhibit C, p. 3, "Mental Health Services."

On the first issue, there is still not a Spanish-speaking social worker on staff at the facility. The administrator of the clinic explained that they have been actively seeking such a person for several months, without success. He attributed the delay in finding someone for this position to the time required to complete the necessary background check, and believes that most applicants cannot afford to wait to start work, and thus end up taking other positions. In the meantime, the existing social workers are using the telephone translation services when they meet with Spanish-speaking residents. That system appears to work fine for these purposes. The reports from residents who had received social work services were that they were very happy with the social workers, but that there were not enough of them. I believe that the social work area of the clinic is understaffed, and there is a need for additional social workers. If hiring problems persist in this area, the facility should consider using either contract or outside services to fill the need.

Perhaps for similar reasons, the facility is not providing minors with weekly sessions with a social worker. Rather, case workers employed by CCA are currently filling this role. The case workers meet with each minor weekly and assess whether there is a need for referral to a social worker or other services. It appears that there are not weekly meetings with a social worker because

of the shortage of social workers. This is an important issue, as the case workers have different training, and fill different roles, than do the social workers. Again, the facility should consider using contracted or outside social work services until more social work staff are hired.

With regard to the last issue, we did not find that there were any “acculturation and adaptation services” being provided to the residents, other than what the minors may be receiving through their schooling. Because we were not provided any specific reason why these services have not been provided to date, it is not clear what the solution to this issue is, other than to begin making these services available.²

3. Medical and Dental Care

Exhibit B provides that:

The facility will provide a larger and more suitable space for medical consultation (the actual increase in space may not yet be in place within 3 months of the Effective Date of the Agreement).

Subject to the availability of qualified and willing candidates, the facility has an on-site Spanish-speaking dental assistant.

Exhibit B, p. 6, “Medical and Dental Care.” It did not appear that the facilities in which the medical and dental clinic are housed have changed since the pre-mediation inspection, and it has been more than 3 months since the Effective Date of the Agreement. The space remains small, with little or no waiting and reception area. Having said this, the residents were generally happy with the quality of the medical and dental services. Thus, the lack of space does not appear to have seriously impacted

²A caveat that must be offered here is that the Settlement Agreement does not define “acculturation and adaptation services.” Thus, it is not clear what the parties contemplated for this item. There are adult ESL classes offered, and beginning in January, Catholic Charities will teach parenting and development classes at the facility. It may be that these classes fit within the definition of acculturation and adaptation services.

the facility's ability to deliver medical services to the residents, at least at the occupancy levels over the past four months. It is not clear what the parties contemplated when they agreed that the medical clinic would be enlarged, and without more information regarding what space might be available within the building, I cannot make a recommendation regarding what solutions might exist for this issue.

As with the social worker, the facility has had a difficult time finding a Spanish-speaking dental assistant. We were informed by the administrator that a candidate had actually been selected and hired, subject to the background check, but that applicant eventually took another job before the background inspection was completed. Until there is a Spanish-speaker hired, a Spanish-speaking nurse is filling that role. Because that appears to be working adequately, and has not delayed the provision of any dental services, it appears to be a workable interim solution. Of course, the facility should continue to make efforts to find a permanent Spanish-speaking dental assistant.

4. Food

As with the original, pre-mediation inspection, the universal complaint from the residents during this review was about the quality of the food. While it appears that the facility is in literal compliance with the checklist items, it is arguable that they have not met the first requirement on each of Exhibits B and C. Those requirements state:

- A variety of meals are offered at the facility.
- Menu undergoes regular revisions.

Although the menus we reviewed indicate that a variety of meals are offered, the daily records indicate that the alternative food offered by the facility has repeatedly been either cheese quesadillas, rice and beans, or hamburgers or hot dogs and rice and beans. In one stretch this was offered (as an

alternative) nearly every day for two weeks. While it will be impossible to please everyone with food served in the manner necessary at the facility, the facility needs to provide more variety in the food, particularly with the alternative food offered at lunch or dinner. A number of residents also complained that chicken was rarely served, and it would appear that it would meet with general approval if the facility served chicken more often.

5. Movement

While it appears that the facility has effectuated the changes in movement of residents called for in the Settlement Agreement, our interviews demonstrated that there remains a good deal of confusion among the residents regarding the policy. Specifically, many of the residents interviewed did not understand that they were free to move to the identified areas of the facility between the hours of 8 a.m. and 8 p.m. Rather, they believed that they either needed permission to move about the facility, or that the designated hours were shorter.³ All of the staff who were interviewed, including four employees who work in the pods, understood the movement policy and stated it accurately. Thus, this appears to be an issue of communication. Making sure that this issue is carefully covered in the orientation, and specifically covering it during “Town Hall” meetings would help eliminate any confusion that still exists.

6. Activities for Children

Exhibit B provides that:

³This confusion may have resulted from the fact that there are times that an area is unavailable. For example, the gymnasium is not available when it is being used for physical education for school children, and is also closed for the first 15 minutes of meal times. It is possible that residents have misunderstood a particular instance of unavailability to equate to a general rule. Regardless, there are several residents who seemed to be unaware of the current 8-8 movement policy.

Structured physical activities are provided for children when not in school, such as organized sports, physical activities such as dance, intellectually stimulating activities, arts and crafts, and music.

The facility organizes regular off-site field trips for children that serve either a recreational or educational function. However, children subject to a final order of removal, children with documented disciplinary problems, and children whose parents do not consent to off-site trips may be prohibited from participating. The facility also may condition a child's participation on an off-site trip upon the parent(s) consent to limit and/or waive liability of the government, service provider, or field trip provider.

Exhibit B, p. 5-6., "Activities for Children." While there appeared to be a wealth of structured activities for children while in school, there was not evidence of significant structured activities for children outside of school hours. Most of the recreation materials we reviewed suggested that out-of-school activities are unstructured, such as "open rec" time in the gym. Likewise, it does not appear that there have been many field trips since the Effective Date. The only trip we saw evidence of took place on November 15, 2007, when a group went to a roller skating rink. It did seem from our inspection and interviews, however, that this may be improving, as there are several trips planned,⁴ and in fact one was taking place (for high school students) the afternoon of our inspection. This trip to Taylor High School was reported as the first of several in which students from the facility would be visiting with Taylor students at their school, and Taylor students would then be visiting with facility students at the facility.

Regardless, the facility needs to provide more structured, non-school activities for the children, and needs to make certain that off-site trips take place regularly, which I would understand to mean at least monthly.

⁴The information provided to us indicates that a trip to Inner Space Caverns is planned in January 2008, and trips to Taylor High School basketball games are planned for January or February, 2008.

7. Attorney visitation.

Exhibit C requires that there will be a “[d]esignated attorney room available for client meetings.” To accomplish this, the facility has erected a number of dividers in the visitation area to create several small interview areas, each with a table and chairs. The dividers are not floor to ceiling, however, and are also clear from waist up. There appeared to be a potential problem with sound carrying out of the rooms, depending on where a particular group might be meeting. The facility has attempted to mitigate this by the installation of white noise devices, but it was not clear that these were completely effective. Because the meeting rooms have clear walls, there is also no visual privacy for attorney meetings. There is a supervised general play area in the middle of the room (so as to allow a meeting without children present, a separate requirement of the Agreement). The clear walls could present a problem in this regard, as small children may not be content to stay in the play area when they can see their parent. Similarly, if a parent is emotional in an attorney meeting, and their child can see them, it may cause problems for both parent and child.

To solve this problem, I suggest that the facility return to using a separate, private room for attorney meetings. At a minimum, attorney meetings should be permitted to take place in a room that has both auditory and visual privacy.

8. Interpreters

Exhibit B provides:

Interpreters affiliated with a non-profit organization or an attorney are permitted to enter the facility if, on that first visit, the interpreter provides 24-hour advance notice. On subsequent visits, the interpreter need not announce his or her visit in advance, and is only subject to the same security procedures as attorneys (e.g. provision of identification, etc.) as long as they are accompanied by, and under the supervision of, the law student, paralegal or attorney for whom they are working.

Exhibit B, p. 5 “Legal Orientation and Access.” Prior to December 12, 2007, the facility was requiring interpreters working with attorneys or non-profits to “reapply” every 45 days for the right to enter without advance notice. I was informed, however, that at a meeting the day before my visit, it had been decided that this reapplication process would no longer be required. If that in fact is the case, then the facility will be in compliance with the Agreement. It would appear that requiring an interpreter to reapply would not be in compliance with the Agreement.

9. Phone access

Exhibit B requires that:

Phone calls placed by children are not monitored in real time or subsequently in the absence of individualized suspicion, but the facility may log phone calls placed by children.

During orientation, the facility informs all residents that their personal calls are recorded (even in the absence of individualized suspicion), but generally are not monitored in real time.

Exhibit B, p.2-3, “Phone Access.”

We did not find evidence of any system in place for children to place phone calls on phones other than those in the pods. (It is possible that there is such a system and we did not witness it.) It is not clear whether this has ever become an issue, however, as we did not speak to anyone who had encountered a problem with a minor’s phone call. Regardless, the Agreement requires that a system be in place, and the facility needs to ensure that a process is set up for calls by children and that residents are made aware of it.

While every adult that we spoke to was aware that their phone calls were recorded, many of the residents indicated that they did not learn this during orientation, but rather were made aware of

it by a message the phone system repeats before each call. While this seems a minor issue, the facility should take steps to ensure that the orientation session mentions the recording of phone calls.

10. Library

Exhibit B requires that the “facility makes efforts to ensure that there are a sufficient number of age-and language-appropriate books available to residents.” Exhibit B, p. 4, “Library.” The vast majority of the books in the library are in English. In our review of the library, we found approximately 16 shelving units with books on them. Of these, two contained Spanish language books for adults, and one contained children’s books in Spanish. The remainder were in English. Other than bilingual dictionaries, there did not appear to be any books in any other languages. The facility needs to redouble their efforts to obtain a larger supply of Spanish language books, particularly for children and young adults.

11. Grooming

Exhibit C requires that “[b]arber services are available at least twice per week.” Several male residents reported that they had a hard time getting access to the barber, because she was not at the facility twice a week, but rather once a week. We were told that when the barber was there, she would put out an announcement, or go pod-to-pod to inquire whether anyone needed her services, and that she usually filled her schedule quickly. The facility needs to ensure that the barber is available at least twice per week, as required by the Agreement.

12. Miscellaneous

Similar to some of the issues mentioned above, some of the residents we interviewed were unaware of changes that had been implemented under the Agreement. For example, several residents were unaware that they were allowed to request a second mattress. Others complained that they had

not been given all of the clothing they arrived with, including their under-garments, and were being required to wear facility-issued underwear. We have already mentioned the confusion regarding open movement times. All of these are issues which can be resolved by communication between the facility and the residents, and particularly at orientation and Town Hall meetings.

C. Compliance with ¶ 6 F.O.D. Reviews

As noted earlier, I received copies of letters that have been sent pursuant to ¶ 6(D) of the Settlement Agreement, along with a spreadsheet indicating when a resident's file had been reviewed by the Field Office Director. From this review, it appears that there has been general compliance with ¶ 6 of the Agreement, in that the required reviews appear to have taken place. However, the letters sent by the F.O.D. under ¶ 6(D) are form letters and are all virtually identical. That section of the Agreement requires the F.O.D. to "issue a written decision summarizing the reasons for" any determination he makes regarding bond, release or parole. The statement of reasons found in each of the letters, however, is the same:

At this time, I [the F.O.D.] cannot find any compelling reasons to warrant a release under urgent humanitarian reasons or significant public benefit.

While in the most general sense, this might be construed to be a statement of the reasons for denying a change in release or bond status, using such a form letter does not comply with the Agreement. Because each case is reviewed on its own merits, there must be some explanation beyond this general boilerplate. While the explanation required need not be detailed, it should be specific to the case reviewed, and explain – in summary form – the reasons for the decision.

SUBMITTED this 27th day of December, 2007.



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE)
)
) **Case No. A-07-CA-164-SS**
HUTTO FAMILY DETENTION CENTER)
)

REPORT TO PARTIES OF PERIODIC REVIEW OF FACILITY

The undersigned submits the following report to the Parties of the above-styled case, as called for in ¶ 9 of the Parties’ Settlement Agreement, executed on August 26, 2007.

I. Background

This compliance inspection took place on June 10, 2008, and lasted from approximately 9:00 a.m. to 6:30 p.m., with a 50 minute lunch break. Advance notice of the inspection was not provided, although the Parties were aware that the inspection was required to take place by June 12, 2008 (six months from the date of the first review). Assisting the undersigned were [REDACTED] (law clerk in the undersigned’s chambers) [REDACTED] (Spanish-language interpreter), [REDACTED] (Deputy U.S. Marshal who also acted as interpreter), and [REDACTED] (intern from this Court’s chambers who also acted as interpreter) (collectively, the “inspection group”).

The inspection began with a meeting with the CCA and ICE-JFRMU administrators, [REDACTED] [REDACTED] and [REDACTED] respectively. We once again briefly reviewed the ground rules for our inspection and again received complete cooperation. The inspection group visited every occupied pod in the “A” Hall,¹ the cafeteria, the classrooms, the intake area, the commissary, the

¹Since the December Report, the “B” Hall has been used by ICE as a female detention facility. The “A” Hall continues to be operated by ICE as a family detention facility. While we made a cursory inspection of “B” Hall, primarily to view how it interacts with the family facility operated in “A” Hall, we did not thoroughly inspect the female facility, as that was beyond the scope of our review.

medical and dental offices, the mental health offices, the library, the computer lab, the visitation area, the office/administrative area, as well as the indoor and outdoor recreation facilities. The group also interviewed approximately twenty-two adult residents (some in groups, some individually), five minor residents, four residential supervisors (formerly titled “detention officers” by CCA), two case managers, the senior medical staff, dental staff, mental health staff, commissary staff, intake staff, four teachers, and the administrators.

We also reviewed numerous documents, two binders of which were presented to us by Ms. [REDACTED] at our initial meeting, and the rest of which were prepared in response to specific requests we made during the inspection. The first, large binder contained information documenting building schedules, orientation and phone access, menus for 105 meals, food surveys, library inventory, legal information available to residents, visitation records, after school and recreational activities, computer access, education and schooling, grooming services, town hall meeting records and sign-in sheets, and a payroll document for residents that had worked. The second, smaller binder contained the review letters required by ¶ 6 of the Agreement. The documents provided at our request included: (1) a list of phone rates by country; (2) orientation manuals; (3) forms used by case workers in sessions with minors; (4) a spreadsheet including information on all families in custody since the last inspection, the date of their arrival at, and departure from, Hutto, and the total number of days there; (5) a detailed breakdown of meals served from March 3 to May 15, 2008; and (6) a commissary inventory with prices; (6) forms used for ¶ 6(D) F.O.D. reviews.

II. Findings

A. Scope of Review

The scope of review required by the Settlement Agreement was explained in the previous report issued by the undersigned and will not be repeated here. As with the previous report, only non-compliant or problematic items will be addressed. The one change in this regard is that this report will also address all items that were addressed in the previous report, and discuss the progress that has been made on those items.

B. Non-compliant or problematic issues

1. Orientation and Handbook

Two Settlement Agreement items are at issue here. The first is in Exhibit B and requires:

Residents are provided with a handbook reflecting current rules and policies. The Handbook is updated within reasonable time after rule and policy changes are made.

Exhibit B, p. 4, "Orientation." The second is found in Exhibit C and states:

Orientation explaining rules, services, expectations, and the availability of legal assistance provided to new residents.

Exhibit C, p. 4, "Orientation."

Handbooks appear to be in compliance with the Agreement. The copies we viewed at intake were, with one exception discussed below relating to monitoring of phone calls, up to date, and there are versions in English, Spanish, Arabic, and French Creole.

All residents interviewed reported having received an orientation session. However, as indicated in the Inspection Report from the December 12, 2007 inspection (hereinafter referred to as the "December Report"), the residents' descriptions of their orientation sessions continue to vary markedly from resident to resident. The discrepancies involve both the length of the sessions and

their content. Although positive steps have been taken – recommendations for a more formal orientation with a checklist have been implemented – the interviews suggest that consistency may still be lacking. Interviews with the case managers who conduct the orientations also suggest that orientation does vary somewhat, but not to the extent reported by the residents. To be fair, it is possible that the residents do not fully understand what we are asking about, or have forgotten what was presented to them, given that the sessions sometimes occur at a point when the residents have just recently arrived at the facility, and are therefore still somewhat disoriented and exhausted. For example, one of the residents interviewed by the undersigned reported virtually no orientation other than having watched the ICE-produced legal rights video, while the records provided by ICE included an orientation checklist form signed by the resident indicating she had received the full orientation. On the other hand, a group of Brazilian residents reported receiving their entire orientation in Spanish, which they only marginally understood.

We do not have any additional suggestions regarding improving orientation. ICE and CCA should continue with their current efforts to ensure that case workers are providing consistent orientation sessions, and make certain that case workers are fully trained prior to conducting the sessions.

2. Mental Health Services

There are three requirements at issue on this topic. Exhibit B provides:

Subject to the availability of qualified and willing candidates, the facility has a Spanish-speaking social worker for on-site counseling.

Exhibit B, p. 6, “Mental Health.” Exhibit C adds:

Minors have available to them a session with [a] social worker once per week.

and

Acculturation and adaptation services, containing information on social and interpersonal skills, are available.

Exhibit C, p. 3, “Mental Health Services.”

First, there is now a Spanish-speaking social worker available on-site, so this issue has been brought into compliance. However, case workers employed by CCA are still filling the role of social workers for the weekly sessions with minors. Not one of the four case workers at the facility is certified as a social worker. This deficiency was identified in the December Report, and it was recommended then that the facility procure additional staff in order to meet the above requirements. While it appears that the mental health staff has expanded, and positive steps have been taken in this area, the fact that case workers continue to conduct the weekly sessions with minors is troubling. A review of the forms used by the case workers for these weekly sessions suggests that the sessions are somewhat brief and perfunctory as well. The case workers’ training is not adequate to allow them to fill the role a licensed social worker could fill in identifying potential problems, and ensuring that they are being adequately addressed. This is an issue that should be addressed promptly. Social workers – not case workers – should be conducting the weekly meetings with minor residents.

Another issue identified within the topic of Mental Health Services is the holding of “Town Hall Meetings.” Specifically, Exhibit C requires that “‘Town Hall’ meeting occurs twice each week.” Exhibit C, p. 3, “Mental Health Services.” A review of CCA files and interviews with residents confirmed that these meetings are occurring twice a week as required by the Agreement. In fact, we observed three separate Town Hall meetings in the course of the inspection. However, we noted that in these meetings there was no dialogue between staff and residents. Rather, at the meetings residents were basically reminded of the rules that they must abide by. The meetings were essentially lectures, with no “give and take” between residents and CCA employees. It is hard to

consider the meetings we observed as “Town Hall” meetings in any meaningful sense. The Oxford English Dictionary defines a “town meeting” as “a general assembly of the inhabitants of a town; spec. in *U.S.* a legal meeting of the qualified voters of a ‘town’ for the transaction of public business, having certain powers of local government.” A key aspect of a Town Hall meeting is that members of the community (in this case, the facility residents) are allowed an opportunity to voice their opinions and ask questions of public officials (facility staff). This element of dialogue and group participation was lacking in each of the three meetings we witnessed. We recommend that the facilitators of the Town Hall meetings make certain that residents understand that the meeting is a forum for them to raise issues and concerns, or to ask questions.²

Finally, on the issue of “acculturation and adaptation services” for residents, we found that minors are receiving these services through schooling, after school activities, and field trips. Adult residents were receiving the services through adult education and ESL classes, celebration of holidays, parenting classes, and so on. It appears that ICE is in compliance with this aspect of the Agreement.

3. Medical and Dental Care

Exhibit B provides:

The facility will provide a larger and more suitable space for medical consultation (the actual increase in space may not yet be in place within 3 months of the Effective Date of the Agreement).

Subject to the availability of qualified and willing candidates, the facility has an on-site Spanish-speaking dental assistant.

Exhibit B, p. 6, “Medical and Dental Care.”

²As discussed below, the one-way nature of the Town Hall meetings might explain why there continues to be many issues on which residents lack understanding or awareness.

Since the December Report, ICE has cured both of these issues. There is now a facility across the hall from the medical clinic with ample waiting space, and a Spanish-speaking dental hygienist has been hired. Further, we received very positive reports from residents regarding the quality of the medical and dental services available.

4. Food

As noted in the previous report, there are two requirements at issue under this topic. Exhibit B provides that “a variety of meals [will be] offered at the facility,” while Exhibit C adds that the “menu undergoes regular revisions.” *See* Exhibit B, p. 3, “Food”; Exhibit C, p. 3, “Food.” Food quality continues to be a nearly universal complaint among the residents, as documented in the pre-mediation inspection report and the December Report. While it again appears that the facility is in literal compliance with the checklist items, whether or not they have met the first requirement is questionable. Since the December Report, the facility has diversified the menu and has provided alternative entree choices for most meals. While it appears that the alternatives are somewhat repetitive – often a rotation between hamburgers, hotdogs, chicken patties, and quesadillas – this development is noted as an improvement, albeit slight.

There were also numerous complaints regarding the beans and rice served with most meals. The beans are plain pintos, and the rice is plain white rice. The Latino residents, who make up 60 to 70% of the Hutto population on average, would much prefer black beans and rice with some flavoring. Given that these items have been added to the menu to help satisfy this very population’s desire for more familiar food, it would seem to make sense to actually serve the type of beans and rice preferred. There were also numerous complaints regarding the rice often being undercooked and

crunchy. As in past reports, many residents also expressed a desire for chicken (not in the form of patties).³

The planned menus are generally accurate when compared with the food actually served at the facility. The most glaring discrepancy was with white bread and wheat bread. In reviewing files for nearly sixty meals, the inspection group noted only one instance where wheat bread was listed both on the menu and the cook's worksheet. On the other hand, there were at least thirteen occasions when the menu listed wheat bread as planned, yet white bread was served. Consistent with this, there were numerous complaints about the frequency white bread was served at the facility.⁴

5. Movement

The December Report noted that although the facility had changed their policies regarding the movement of residents in accordance with the Agreement, many of the residents were unaware of their ability to move freely throughout the facility between the hours of 8 a.m. and 8 p.m. During

³Knowing that what is about to be said is probably radically outside of ICE and CCA's normal experience, the undersigned makes the following suggestion with some trepidation (but makes it nonetheless). It would seem that one way to solve many of the food complaints would be to allow the residents themselves to prepare a meal once in a while, perhaps as a Saturday event. I feel confident that there are many residents that know their way around a kitchen, and, if given some basic ingredients, a stove and some pots and pans, could cook a meal for the group that would be much appreciated not only by the adults but also by their children. Again, I know this is an unorthodox idea, but I throw it out there as food for thought (no pun intended).

⁴One final concern on the topic of food relates to the use of "B" Hall as a female detention facility. We were told that the same food made available to the families is also served to the women housed in "B" Hall (with the exception of the salad bar, which is not placed out for the women). Obviously, the female detainees are not governed by the terms of the Agreement, and it seems highly unlikely that adding several hundred detainees not governed by the terms of any agreement on food will improve the end product for the families. Rather, it is likely that the food will more closely resemble prison food as the "B" Hall census grows.

this inspection, we saw substantial improvement in this area. All residents interviewed were aware that they are permitted to move freely around the facility during that time.

6. Activities for Children

Exhibit B provides:

Structured physical activities are provided for children when not in school, such as organized sports, physical activities such as dance, intellectually stimulating activities, arts and crafts, and music.

The facility organizes regular off-site field trips for children that serve either a recreational or educational function. However, children subject to a final order of removal, children with documented disciplinary problems, and children whose parents do not consent to off-site trips may be prohibited from participating. The facility also may condition a child's participation on an off-site trip upon the parent(s) consent to limit and/or waive liability of the government, service provider, or field trip provider.

Exhibit B, p. 5-6., "Activities for Children."

In the December Report, we noted that although there was a wealth of structured activities for children while in school, structured activities outside of school hours were lacking. We observed improvement in this regard. For example, we witnessed a marked increase in the number of children using the recreational facilities (notwithstanding that it was approximately 100° during our recent visit, and the gymnasium is not air conditioned, while it was much more pleasant in the gym in December). We also observed the implementation of more structured after-school activities. Field trips appear to have been occurring more frequently as well, however, the facility records are somewhat unclear on that point. In this regard, we suggest that CCA or ICE keep a separate record of field trips taken, and children attending, so that the review on this point can be more easily accomplished.

7. Attorney Visitation

Exhibit C requires there to be “[d]esignated attorney room available for client meetings.” Exhibit C, p. 4, “Attorney Visitation.” As noted in the December Report, the facility has taken steps towards increased privacy, such as erecting dividers in the visitation area. As a result of the suggestions contained in the December report, privacy curtains have been added to the meeting booths, and two completely private meeting rooms are now available if requested. There appeared to be no remaining issues with regard to attorney meetings.

8. Interpreters

The issue identified in the December report with regard to approval of interpreters appears to have been fully resolved and there are no longer compliance issues on this point.

9. Phone access and phone cards

Exhibit B requires that:

Phone cards are sold at commissary at reasonable cost.

Phone calls placed by children are not monitored in real time or subsequently in the absence of individualized suspicion, but the facility may log phone calls placed by children.

During orientation, the facility informs all residents that their personal calls are recorded (even in the absence of individualized suspicion), but generally are not monitored in real time.

Exhibit B, p.2-3, “Phone Access.”

We were informed by the administrators that they are no longer monitoring or recording any phone calls by residents. This resolves any issue on the second and third items listed above. The only remaining point appears to be one of communication. While many residents had been told that calls were no longer being monitored, they generally did not believe that in fact was the case. This skepticism appeared to be largely the result of the phone system still having a recording on it which

plays immediately before a call is connected informing the recipient that the call is coming from the Hutto facility. Moreover, the handbook appears to be deficient in this regard, in that the only statement on this matter is “[t]elephone calls to your legal provider will not be monitored at any time. Calls to your legal provider are protected and as such are not subject to any monitoring.” Residential Orientation Handbook, p. 18, “Telephone Access to Attorney.” This of course suggests that all other calls *are* monitored. Covering this issue plainly in the handbook, and making it a topic of discussion (a two-way discussion) at Town Hall meetings might help alleviate some of the suspicion.

Another recurrent, and universal, complaint among residents relates to the excessively high cost of phone usage. As noted above, the Agreement requires that “phone cards are sold at commissary at reasonable cost.” It does not appear that the cost of calling is reasonable. First, the phone system requires that residents pay by the minute for all calls, including local calls. Local and domestic long distance calls are charged at 9¢ per minute. Thus, a \$10 phone card purchased at the commissary permits 111 minutes of calling. This seems high, given that there are a wealth of \$10 domestic calling cards available on the private market which will allow 400 or more minutes of calling. The difference is more stark on international calls, however. The chart below compares the facility’s rates with market rates for calls to six countries from which the facility frequently has residents. The facility rate displayed was calculated in the most conservative manner possible. For example, the rate was calculated as if one call were placed and continued until the card ran out. This method of calculation is significantly more favorable to the facility’s rate because the first minute

of each call from the facility is typically much higher than subsequent minutes.⁵ Also, the market rate range reflects the best price available through the tenth best price available on the market. Measuring the market rate in this way ensures that the facility rates are not being unfairly compared to a rate that is extraordinarily low or otherwise atypical of the general market. Using these parameters, the rates in comparison form are:

Destination Country	Facility Rate (minutes available per \$10)	Market Rate ⁶ (minutes available per \$10)
Armenia	15	129-73
Brazil	15	266-137
El Salvador	15	99-78
Guatemala	15	103-72
Honduras	15	64-38
Iraq	8	156-105

These rates are so far apart that the undersigned cannot construe the phone cards at the commissary as being available at “reasonable cost.” To cure this deficiency, ICE and CCA need to either: (1) allow calls at rates much closer to the market than the present rates; or (2) modify the phone system so that it can accept phone cards available on the general market, and allow residents to purchase those cards at the commissary, or have family members mail phone cards to residents.

⁵ For instance, the first minute of a call to Armenia is 63% more expensive than every minute thereafter; for a call to Iraq, the first minute is 84% more expensive; and for a call to El Salvador or Guatemala, the first minute is 111% more expensive.

⁶ Market rate obtained by determining the approximate range of the ten most competitive rates available at www.callingcard.com in order to determine the number of minutes available for every \$10. This approach was taken after a consultation with a customer service representative from the company that operates this website to confirm that applicable fees were being properly considered.

It is not clear what the barriers to this are, but it is no doubt complicated by the fact that CCA is the owner of the facility, and therefore is likely reluctant to modify the phone system in any permanent manner that would make it difficult for the facility to be used as a jail in the future. It is also not clear what the financial arrangement is between CCA and the phone service provider, and who is reaping the profits, but it is plain that the current system is a significant profit center. Regardless, the Settlement Agreement requires that phone cards be sold at reasonable prices, and that is not presently happening.

10. Library

Exhibit B states that:

The facility makes efforts to ensure there are a sufficient number of age- and language-appropriate books available to residents.

Exhibit B, p. 4, "Library."

At the time of our inspection, roughly 70% of the residents at Hutto were Spanish speakers, and very few of the residents were proficient in English. Notwithstanding this fact, the vast majority of the books in the library are still in English. This issue was raised in the December Report. There has been some improvement since then, most notably in the Spanish-language collection, which is now approximately 20% of the total library inventory. However, aside from the Spanish-language inventory and bilingual dictionaries, there are almost no holdings whatsoever in other languages. Also at issue here is a communication problem. Despite the increase in the Spanish-language inventory, interviews indicated that many residents are unaware that such a collection exists.

It is recommended that the existence of the Spanish books be made better known to the residents, in both orientation, the handbook, and Town Hall meetings. It is also recommended that CCA take proactive steps to locate non-profit and charitable organizations bearing affiliations or

associations with the communities regularly represented in Hutto. For example, both in December and in June of this year, there was a sizeable population of Iraqi Christians at Hutto, and it is foreseeable that this will continue. CCA and ICE should dedicate time to locating relief or support organizations for this community to see if donations of books in appropriate languages for this group could be made. The same should be done for other communities that are regularly have members present at Hutto.

11. Grooming

It was noted in the December Report that the barber was not available twice a week as required by Exhibit C, p. 2, "Grooming." The facility has brought this matter into compliance. At present, the residents are able to sign up and receive services from the barber within a reasonable amount of time. In general, residents seem pleased with this service.

12. Visitation

The inspection group was told several times by the CCA administrator that the facility will make special arrangements to accommodate visitors who travel a long distances to come to the facility to visit residents. It appears that residents are not aware of this flexibility. The residents interviewed all believed that visits are limited to one hour. Additionally, three out of the four pod supervisors interviewed also believed that visits are limited to one hour. One family we spoke to was concerned that it would not be worth it for their family members to travel from Miami to visit them if they were only allowed to stay for an hour. If special accommodations are available in such situations, that information needs to be communicated to the residents.

13. Computers

Exhibit B requires that:

Residents are permitted limited access to the internet in the facility's computer lab; Facility may employ web-filtering software and web-monitoring software, and require residents to follow an access policy.

Exhibit B, p. 7, "Computers"

The inspection group found that there are a sufficient number of computers in the lab. However, only two of the computers have internet access. Considering the number of residents at the facility, two computers do not seem like enough to adequately provide internet access. We noted that while residents are permitted access to common internet sites such as Yahoo, residents are not permitted access to web-based E-mail services. It is unclear whether the Agreement contemplates access to internet available E-mail (such as gmail). There is no doubt, however, that allowing such communication ability would likely greatly aid in the residents' ability to communicate with family members, and also alleviate some of the cost issues presently created by the phone system fees. The undersigned notes that Travis County Jail recently made E-mail services available to inmates in that facility, so it would appear that security concerns in this regard are surmountable.

Finally, our interviews revealed that some residents are not aware that internet access is available to them at all. Again, this is an awareness issue for the facility. Some residents also complained that the computer lab was sometimes closed during normal hours because an official was not present. One of the most common complaints of residents is the lack of things to do while housed at Hutto, and the computers represent an opportunity to help lessen this problem, by providing the residents access to the internet, and perhaps also to help fulfill the "adaptation and acculturation" services requirement, by providing computer and internet training to less tech-savvy

residents. ICE and CCA should explore these possibilities and implement changes to permit more use of the internet services available in the computer lab.

14. Living Areas/Pods

Living situations in the pods themselves seem to have improved since the December Report. There were no reports of excessively authoritarian or rude behavior by the staff and conditions generally appear better than before. Still, some minor issues persist. Residents from Pod A reported that on weekends they are required to be up and have their beds made by 8:00 a.m. (They are allowed to get back on the made-up bed after 8:00, but must make the bed by 8:00.) This is inconsistent with the agreement that residents, especially children, are allowed to sleep in on weekends. The pods also seem to be short on toys and books for children. Though children are allowed to take these items into their rooms during certain hours, there is a general perception that doing so would be rude or selfish, given the shortage of toys and books. As a result, it seems that this privilege is rarely enjoyed.

15. Recreation

Exhibit C requires that “monthly birthday parties for residents occur.” Exhibit C, p.1, “Recreation.” The facility does not seem to be carrying out this requirement with any consistency or regularity. Generally, residents interviewed were unaware that birthdays are celebrated at all, which suggests that they take place infrequently at best. Photographs from one birthday party were included in the binder provided to the inspection group. However, it does not appear that such events are occurring monthly, as required by the Agreement. The remedy here is straightforward; the facility simply must make sure that these parties occur on a monthly basis for residents who are having birthdays.

16. Commissary

Some of the female residents would like to have more selection in shampoo and personal care products. Specifically, they said that they wanted nicer products, even if they cost a little more. One resident reported that when she tried to solve this problem herself, and have a family member mail her shampoo, she was not allowed to have it because it was not “properly packaged,” despite being in the store-bought packaging. Other than the phone cards, which were discussed earlier in this report, the prices at the commissary seem quite reasonable.

17. Clothing

Exhibit B states that “Residents allowed access to personal clothing, if appropriate and in acceptable condition.” Exhibit B, p. 2, “Clothing.” It was reported by several female residents that they were not permitted to have their own lingerie, apparently because it was not “appropriate.” Given (as its name suggests) that this type of apparel is ordinarily worn *under* one’s clothing, we cannot understand on what basis underwear is being denied to residents, and then only to women. Residents should be permitted to use their own underwear if they wish – it’s that simple.

18. Communication

As noted above, many of the items identified above are the result of a lack of awareness or information. Interviews with residents and staff revealed that information is communicated inconsistently in some areas. Residents are often unaware about their rights, rules, and resources at the facility. For instance, there was confusion about policies regarding decorations in the cells, the phone recording system, visitation rules, and internet access. The facility should make a more conscious effort to disseminate information more effectively.

C. Overall assessment

Having said all of the above, at this review we witnessed very real improvement in the overall satisfaction level of the residents as compared to our inspection in December. Residents feel that they are being treated respectfully and appropriately, and that their living conditions (given that they are being detained) are very good. Several residents praised the facility. One man called the facility a “fenced in little paradise.” Although the facility still needs to make improvements in the areas identified, we found that the overall trend is very positive and improving.

D. Compliance with ¶ 6 F.O.D. Reviews

Paragraph 6 of the Settlement Agreement requires that the ICE Field Office Director shall make reviews of families detained at Hutto every 30 days to assess whether conditions could be set to allow any family’s release, and also requires that a letter be sent to any family detained at Hutto more than 60 days, and for whom the F.O.D. does not amend conditions to permit release. *See* ¶ 6(C) and (D) of Settlement Agreement. As noted earlier, we received copies of all letters sent to residents pursuant to ¶ 6(D) of the Agreement along with two spreadsheets, one indicating dates of custody for residents, and one indicating when a resident’s file had been reviewed by the Field Office Director (F.O.D.). We also met with Adrian Ramirez, the Assistant Field Officer Director, ICE, who provided us with a spreadsheet documenting the required reviews, and a description of the process followed for making the reviews. From this information, we were able to determine whether letters had in fact been prepared for each family who stayed at Hutto for more than 60 days after December 12, 2007 (the date of the last review).

We first had to resolve an issue related to the Agreement before we could make our assessment of compliance with ¶ 6 of the Agreement. Specifically, the Agreement does not state a

particular time within which families held more than 60 days and denied release must receive their letter from the F.O.D. explaining his decision. The general rule is that, in the absence of a stipulation as to the time for performing the terms of a contract, the law allows for a reasonable amount of time. *See, e.g., Percy v. Environmental Conservancy of Austin and Cent. Texas, Inc.*, 814 S.W.2d 243, 246 (Tex. App. – Austin 1991, writ denied). What a “reasonable time” is depends on the facts and circumstances surrounding the execution of the contract. *Id.* In this case, the purpose of the letter requirement was multi-fold. First, it provides a family remaining in detention notice of the reasons why their release has not been permitted. Second, it is intended as a means for the Plaintiffs and their counsel in the lawsuit to feel confident that a real review has actually taken place, and thus that the terms of the Agreement have been fulfilled. Finally, the stated intent of ¶ 6 is “to shorten the average duration that accompanied minors are detained at Hutto.” Taking all of this into account, along with the information learned at the inspection, the undersigned believes that 14 days is a reasonable amount of time, after the sixty day mark, for the F.O.D. to complete his or her review and prepare a letter to a family remaining in detention. Thus, I will use this 14-day period as the standard against which compliance with ¶ 6(D) is measured.

From our review, we believe that the required reviews are taking place, though in some instances letters are being sent late or not at all. Specifically, twelve families did not receive letters within 14 days after they had been in custody for 60 days (*i.e.* within 74 days of arriving at Hutto). Of these, seven received letters anywhere from 15 to 56 days after they had been at Hutto for 60 days.⁷ Another family may have received their letter while still at Hutto, or after they left, but either

⁷Those families, and the total days they were at Hutto before receiving a letter are:

Milagro YANEZ-Melgar (+1 family member) (116 days)

way it was late.⁸ The other four families never received a letter.⁹ At least as of June 20, 2008, one of those families was still in custody, and apparently had still not received a letter.¹⁰ Obviously, the failure to send the letter required by ¶ 6(D) of the Agreement is a violation of the Agreement. Likewise, sending letters well past the 60th day of detention is non-compliant. It appears that the cause of these events was the manner in which the F.O.D. was doing his reviews, and not any bad faith on the part of ICE.¹¹ Nevertheless, the F.O.D. needs to reexamine the manner in which he is

b6, b7c	(+3 family members) (99 days)
	b6, b7c (+1 family member) (88 days)
	b6, b7c (+1 family member) (79 days)
	b6, b7c (+1 family member) (90 days)
	b6, b7c (+3 family members) (75 days)
b6, b7c (+1 family member) (92days)	

⁸This refers to b6, b7c (+1 family member). In the initial spreadsheet, the b6, b7c family was listed as having been at Hutto for only 6 days (February 6-12, 2008). The binder of letters provided to us, however, included a letter to b6, b7c dated June 2, 2008, suggesting that the end date of the family's detention was inaccurate. We thus asked for clarification on this, and ICE confirmed that the end date of February 12, 2008, was in fact in error, and the correct end date was May 21, 2008. This still leads to questions regarding why a letter was then sent on June 2, 2008, if b6, b7c was no longer at Hutto. Regardless, either the letter was sent after 117 days of detention (if the family was still at Hutto on June 2, 2008), or after 105 days in detention, and after the family was already gone from Hutto (if they actually left Hutto on May 21, 2008).

⁹The families who did not receive a letter, and the total time they spent, or have so far spent, at Hutto are:

b6, b7c	b6, b7c (+3 family members) (97 days)
	(+1 family member) (96 days)
	b6, b7c (+1 family member) (84 days)
	b6, b7c (+1 family member) (95 days)

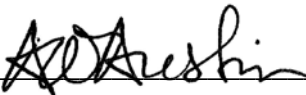
¹⁰The b6, b7c family was still in custody as of June 20, 2008.

¹¹The F.O.D. grouped detained families into four groups for review, and every fourth week one group went through the review process (the F.O.D. did this to ensure that families are reviewed every 30 days as required by ¶ 6(C)). The problem with this approach is that if a family is reviewed for the first time on the 25th day after their arrival, and then again, four weeks later (and thus on their 53rd day), their case is not yet "ripe" for the 60 day letter at this second review. Thus, the F.O.D. has

reviewing cases and make changes to ensure that all families detained longer than 60 days receive a letter explaining their continued detention within 74 days of their arrival at Hutto.

Since the December Report, the facility has come into compliance with the requirement that a summary of reasons for the F.O.D.'s ¶ 6(D) decision be included in the letters to residents. Beginning in March of 2008, the content of the letters improved significantly. The letters now provide more information and relevant details regarding the F.O.D.'s determination. Despite a certain degree of information common to all of the review letters, they now appear to be in compliance with ¶ 6(D) of the Agreement.

SUBMITTED this 27th day of June, 2008.



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE

been waiting for the next review, another four weeks later (or 81 days into detention in this example) to begin the process of preparing the 60 day letter, which itself takes some time. The result is that under this approach many families did not receive a letter for 90 days or longer.

b6, b7c

From: Ragsdale, Daniel H
Sent: Wednesday, March 18, 2009 3:51 PM
To: Ramlogan, Riah; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: RE: AILA Conference

I agree that [REDACTED]

(b)(5)

[REDACTED] b6, b7c

[REDACTED] b6, b7c

[REDACTED] (b)(5)

From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 3:50 PM
To: Ragsdale, Daniel H; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: RE: AILA Conference

You made me pull out the books but before I delve into what I think, to answer your question [REDACTED] b6, b7c should defer to

[REDACTED] b6, b7c

[REDACTED] b5DP/AC

[REDACTED] b5DP/AC

I am going to ask [REDACTED] b6, b7c to look at this issue as it relates to overstays, status violator, LPRs.

From: Ragsdale, Daniel H
Sent: Wednesday, March 18, 2009 3:20 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c Ramlogan, Riah
Subject: RE: AILA Conference

[REDACTED] b6, b7c

[REDACTED] b5DP/AC

From: [REDACTED] b6, b7c
Sent: Wednesday, March 18, 2009 2:53 PM
To: Ragsdale, Daniel H
Cc: [REDACTED] b6, b7c Ramlogan, Riah
Subject: FW: AILA Conference
Importance: High

Dan, OPLA approved version enclosed. Recommend that [REDACTED]

[REDACTED] b5DP/AC

[REDACTED] b5DP/AC

AILA Question

I-213 - AILA believes that an alien is entitled to an attorney during an I-213 interview. Is there a policy which permits attorneys to be present? What should be done to request permission to be present for the I-213 interview? What should be done if permission is refused?

Draft OPLA Response

b5DP/AC

non-responsive duplicate

Non-responsive duplicate

b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, July 24, 2008 4:31 PM
To: [REDACTED] b6, b7c
Subject: [REDACTED] b6, b7c MN lawsuit, AS Myers and DAS Torres Declarations
Attachments: [REDACTED] b6, b7c Myers decl draft rev#1.eld.doc; Barrera Torres decl draft rev#1.eld.doc

[REDACTED] b6, b7c attached are [REDACTED] b6, b7c comments on the AS Myers and DAS Torres declarations that I prepared.

[REDACTED] b6, b7c is taking over as Agency counsel for the [REDACTED] b6, b7c case and will be working with you on getting these declarations completed.

Enjoy.

[REDACTED] b6, b7c

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [REDACTED] (tel)
347.801 [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Wednesday, July 23, 2008 12:38 PM
To: [REDACTED] b6, b7c
Subject: Fw:

Sent from my BlackBerry Wireless Handheld

From: [REDACTED] b6, b7c
To: [REDACTED] b6, b7c
Sent: Tue Jul 22 17:04:42 2008
Subject: RE:

[REDACTED] b6, b7c
I added a comment on each document. Let's discuss.

[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, July 22, 2008 3:20 PM
To: [REDACTED] b6, b7c
Subject:

[REDACTED] b6, b7c Per our conversation, here are the drafts. Thank you in advance for your help.

[REDACTED] b6, b7c
Deputy Chief for Tort Litigation
Commercial & Administrative Law Division
Office of the Principal Legal Advisor
U.S. Immigration & Customs Enforcement
425 Eye Street NW
Washington, DC 20536

[REDACTED] b6, b7c

Tel. (202) 514- [REDACTED] b6, b7c
Fax (202) 514-0455

b6, b7c

From: [REDACTED] b6, b7c
Sent: Wednesday, March 18, 2009 8:02 PM
To: [REDACTED] b6, b7c
Cc:
Subject: FW: AILA Conference
Attachments: RE: AILA Conference

b6, b7c

b5DP/AC

b6, b7c

b6, b7c

b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732. [REDACTED] b6, b7c
f: 202.732.5025

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From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 5:55 PM
To: [REDACTED] b6, b7c
Subject: FW: AILA Conference

This is [REDACTED] b6, b7c take. This is probably a longer term project for someone to run down the memos and cases he is talking about. I think that this crisis is over.

From: [REDACTED] b6, b7c
Sent: Wednesday, March 18, 2009 5:01 PM
To: Ramlogan, Riah
Cc: [REDACTED] b6, b7c
Subject: RE: AILA Conference

[REDACTED] b5DP/AC

From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 4:45 PM
To: [REDACTED] b6, b7c

Cc: [redacted] b6, b7c
Subject: RE: AILA Conference

[redacted]
b5DP/AC

From [redacted] b6, b7c
Sent: Wednesday, March 18, 2009 4:37 PM
To: Ramlogan, Riah
Cc: [redacted] b6, b7c
Subject: RE: AILA Conference

We have done this many times- [redacted] b5DP/AC

[redacted]
b5DP/AC

From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 3:56 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: FW: AILA Conference

[redacted] b6, b7c

Please look at the interplay between [redacted] b5DP/AC
[redacted] b5DP/AC We need an analysis on [redacted] b5DP/AC

[redacted] b5DP/AC

Thanks,
Riah

[redacted] b6, b7c
[redacted] b6, b7c

[redacted] non responsive duplicate [redacted] b6, b7c

[redacted] b5DP/AC

b5DP/AC

b6, b7c

b6, b7c

b6, b7c

b5DP/AC

b6, b7c

b6, b7c

non-responsive duplicate

non-responsive duplicate

non-responsive, duplicate

non-responsive duplicate

b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, June 02, 2009 11:06 AM
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: FW: AILA Conference Talking Points for [REDACTED] b6, b7c
Attachments: AILA 2008 National ICE Questions - final.doc

The questions in the email (not the word doc) are your priority for today. Draft responses for my review by 2. Use vetted language if possible. Thanks, chris

[REDACTED] b6, b7c can you confirm ELD is not on the hook for any of the responses in the doc?

[REDACTED] b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732.[REDACTED] b6, b7c
f: 202.732.5025

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From: [REDACTED] b6, b7c
Sent: Monday, June 01, 2009 4:02 PM
To: [REDACTED] b6, b7c
Subject: AILA Conference Talking Points for [REDACTED] b6, b7c

[REDACTED] b6, b7c is speaking on an AILA panel this Thursday. Please provide talking points in bullet form, and background, if necessary, for the following by 10 am Wednesday June 3rd.

The 2008 AILA ICE questions are attached for reference.

Thanks

1. Enforcement Priorities – ICE, EOIR and USCIS

ICE – Secretary Napolitano’s new Worksite Enforcement Strategy directs greater focus on employers who knowingly hire unauthorized aliens, and away from the aliens employed by them without authorization, in a reorientation away from large-scale workplace actions and the often-mass arrests and detentions that follow. Please tell us a bit about how that change translates into the:

- treatment of unauthorized aliens encountered in terms of decisions on arrest,
- initiation of proceedings,
- custody and detention,

- discretionary determinations to go forward in court, and
- discretionary decisions on consent to relief.

2. F-1 OPT “Cap-Gap” Issues (Questions for all participants are included so you have the context. Please provide information for the responses to ICE questions in bold).

The F-1 OPT regulation that provides cap-gap protection by extending the status of F-1 students whose petitions are selected in the H-1B lottery leaves several unanswered questions regarding international travel, eligibility for visa issuance, and documentation for employment verification purposes. In liaison, CBP indicated that a student who is properly maintaining F-1 status by engaging in OPT authorized work who travels abroad may be readmitted to the U.S. upon presentation of a properly-endorsed I-20, a visa (if required), original I-797 receipt notice for the H-1B petition, and the student’s F-1 OPT EAD, which is extended by operation of the regulation.

- DOS: If the student needs a visa to reenter during this period, what documents will the student need to present?
- USCIS: What documents will an employer need to see to update the I-9 after the OPT EAD expires?
- **ICE: Do you agree with USCIS?** [REDACTED] b5DP/AC
- **ICE: What documents will a qualifying student have to present if the student is encountered by one of your agents?**
- USCIS: Does departure from the U.S. after the change of status application has been approved, but before it becomes effective, have a bearing on the student’s eligibility for the requested change of status? We believe that the longstanding “last action” practice should control, and that departure and return of the F-1 OPT student will not adversely impact the pending change of status, and is in furtherance of the policy goals the “cap-gap” rule seek to advance.

An Aside on SEVIS and Status:

When USCIS approves the change of status application for a date in the future, sometimes the SEVIS record will be changed and the student will be taken out of SEVIS.

USCIS: What steps is USCIS taking to prevent this erroneous termination of the student from SEVIS?

ICE: How does the student get reinstated to F-1 status for the duration of the F-1 “cap-gap” student status and OPT?

[REDACTED] b6, b7c
 Senior Management Counsel
 DHS-ICE-OPLA
 202.732 [REDACTED] b6, b7c

non-responsive duplicate

non-responsive duplicate

b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, July 24, 2008 4:39 PM
To: [REDACTED] b6, b7c
Subject: FW [REDACTED] b6, b7c
Importance: High

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264. [REDACTED] (tel)
347.801. [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Wednesday, July 09, 2008 6:45 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: [REDACTED] b6, b7c
Importance: High

[REDACTED] b6, b7c AUSA [REDACTED] b6, b7c intends to [REDACTED] b6, b7c, b5DP/AC/AWP

[REDACTED] b6, b7c, b5DP/AC/AWP

b6, b7c, b5DP/AC/AWP

Sorry for the short turnaround, but I am going to need answers to these questions as soon as possible, preferably by the end of tomorrow, but in any event, no later than July 18th. Let me know if you have any questions or concerns. [b6, b7c]

[REDACTED]

[b6, b7c], Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [REDACTED] (tel)
347.801 [b6, b7c] (mobile)
212.264.4534 (fax)

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b6, b7c

From: [redacted] b6, b7c
Sent: Friday, July 11, 2008 10:13 AM
To: [redacted] b6, b7c (USAMN)
Subject: [redacted] b6, b7c

Importance: High

b6, b7c and b6, b7c

Attached is a signed copy of my declaration. I only made one small grammatical correction, everything seemed fine to me.

Let me know if I can be of any other assistance.

Thanks for all your efforts!

b6, b7c

[redacted]

From: [redacted] b6, b7c
Sent: Thursday, July 10, 2008 4:35 PM
To: [redacted] b6, b7c (USAMN) (E-mail)
Subject: [redacted] b6, b7c
Importance: High

b6, b7c attached for you review and signature is a DRAFT declaration in support of the motion to dismiss that upon your review and signature will be filed on your behalf in the [redacted] b6, b7c case. Also, as an FYI is the complaint and the HQ operational plan. [redacted] b6, b7c, b5DP/AC/AWP

b7e

b6, b7c, b5DP/AC/AWP

b6, b7c would like a signed declaration as soon as possible. If anything needs to be changed, please work directly with him as he is your attorney representing you in the matter. I will be on annual leave, beginning tomorrow, until July 18th.

Tomorrow, I will have my blackberry with me. If you have any questions or concerns, please contact me. Thanks.



[redacted]

b6, b7c Associate Legal Advisor

Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264. [REDACTED] (tel)
347.801 [REDACTED] (mobile)
212.264.4534 (fax)

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Friday, December 21, 2007 6:48 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: [REDACTED] b6, b7c

Importance: High

Please see attached litigation report regarding the (6), (b)(7)(c) case that was filed in the Minnesota area. Thanks.

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [REDACTED] (tel)
347.801 [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Friday, December 21, 2007 6:38 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: [REDACTED] b6, b7c
Importance: High

[REDACTED] b6, b7c attached is the litigation report in both PDF and MS Word, in case you want to cut and paste for any motion to dismiss.

I DHL'd the operational plans, Blackies warrant application, affidavit and order, and the Reports of Investigations regarding the raid at the Swift plant at Worthington, Minnesota, on December 12, 2006.

I did not have a chance to copy the 230 I-213 reports of arrests made at the Swift Worthington plant on December 12, 2006. I will copy those when I return from annual leave on January 3, 2008. Please note that none of the the named Plaintiffs in [REDACTED] b6, b7c were arrested by ICE special agents and placed in DRO custody for immigration removal proceedings; therefore there are no I-213s regarding the Plaintiffs. However, you should have copies of those I-213s as they prove that ICE agents had a legitimate reason to enter the Swift plant and conduct consensual interviews regarding immigration status. I will be in Minneapolis on January 9, 2007, for the Arias MTD hearing. I will be able to give you the I-213s in this case at that time.

Also, there is one thing that I forgot to add in the litigation report. Former special agent [REDACTED] b6, b7c who no longer works for ICE and now works as a criminal investigator for the State of Minnesota, was personally served with the summons on October 12, 2007.

Finally, as stated in the litigation report, neither AS Myers nor DRO Director Torres has been served with the summons and complaint.

If you have any questions, I will be back in the office on January 3, 2007. If I do not talk to you then, have a happy holiday.

b6, b7c



[Redacted text block]

b6, b7c

Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [Redacted] (tel)
347.801 [Redacted] (mobile)
212.264.4534 (fax)

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, March 23, 2010 12:30 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: FW: Cobb County SO_Letter from [REDACTED] b6, b7c - ELD EDITS to LEA RESPONSE
Attachments: 287g [REDACTED] b6, b7c by Cobb 2010_03_02.pdf

b6, b7c

Thanks for your patience on our review of this. [REDACTED] b6, b7c is out and I am acting in her place. We have coordinated our review of the Cobb County Sherrif's Department's response with [REDACTED] b6, b7c in the Atlanta Office of Chief Counsel.

Here are the proposed edits we suggest making to the response:

Dear Mr. [REDACTED] b6, b7c

[REDACTED]

b6, b7c, b5DP/AC/AWP

Thank you for your inquiry.

Respectfully,

[REDACTED] b6, b7c

[REDACTED] b6, b7c

Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor
Washington, D.C. 20024
Tel. 202-732-[REDACTED] b6, b7c
Fax. 202-732-5346

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From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 4:40 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: FW: Cobb County SO_Letter from [redacted] b6, b7c

FYI

[redacted] b6, b7c
Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-[redacted] b6, b7c
Blackberry: 602-690-[redacted] b6, b7c

From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 4:25 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: FW: Cobb County SO_Letter from [redacted] b6, b7c

FYI

From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 4:24 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: RE: Cobb County SO_Letter from [redacted] b6, b7c

[redacted] b6, b7c As requested, attached is a copy of Cobb County's proposal for their response. They have not yet sent it, and I asked if they would hold off until we review, to which they agreed. I am copying local OCC as well as our FOD so they will be aware. Thanks to all for working with us to get them a response. As you are aware, this is very important to us in our ongoing relationship w/ the local jurisdictions, which is key to the success of our 287(g) programs here.

+++++++ Cobb's e-mail to us +++++++
-----Original Message-----

From: [redacted] b6, b7c
[redacted] b6, b7c
[redacted] b6, b7c Sent: Tuesday, March 02, 2010 4:10 PM To: [redacted] b6, b7c
[redacted] b6, b7c
Subject: Response to Legal Inquiry

Attached please find the draft of my response to Mr. [redacted] b6, b7c request for information and his assertion that Miranda warning are required for individuals processed through the 287(g) program. I would appreciate any comments or direction you might have before I finalize the response.

Thanks.

b6, b7c

Cobb County Sheriff's Office
770-499- [b6, b7c]

+++++++ end of Cobb's e-mail to us ++++++

From: [b6, b7c]

Sent: Thursday, March 04, 2010 3:21 PM

To: [b6, b7c]

Subject: FW: Cobb County SO_Letter from [b6, b7c]

[b6, b7c]

Can you give me a call regarding this issue?

202-732- [b6, b7c]

[b6, b7c]

Office of State and Local Coordination
Unit Chief
500 12th Street SW, Suite 5026
Washington D.C. 20024
202-732- [b6, b7c] (o)
202-904- [b6, b7c] (c)

From: [b6, b7c]

Sent: Thursday, March 04, 2010 3:04 PM

To: [b6, b7c]

Subject: RE: Cobb County SO_Letter from [b6, b7c]

I am now---stop by if you can or I can run up.

[b6, b7c]

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732- [b6, b7c]
Blackberry: 602-690- [b6, b7c]

From: [b6, b7c]

Sent: Thursday, March 04, 2010 2:27 PM

To: [b6, b7c]

Subject: Re: Cobb County SO_Letter from [b6, b7c]

I cleared earlier than expected, are you available?

From: [b6, b7c]

To: [b6, b7c]

Sent: Thu Mar 04 14:23:49 2010

Subject: RE: Cobb County SO_Letter from [b6, b7c]

Thanks!

b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-**b6, b7c**
Blackberry: 602-690-**b6, b7c**

From: **b6, b7c**
Sent: Thursday, March 04, 2010 2:07 PM
To: **b6, b7c**
Subject: Re: Cobb County SO_Letter from **b6, b7c**

I am in a meeting and unavailable for the next hour. I will stop by when I clear the meeting

From: **b6, b7c**
To: **b6, b7c**
Cc: **b6, b7c**
Sent: Thu Mar 04 14:06:18 2010
Subject: FW: Cobb County SO_Letter from **b6, b7c**

b6, b7c

When you get a chance can you call me regarding this letter?

b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-**b6, b7c**
Blackberry: 602-69-**b6, b7c**

From: **b6, b7c**
Sent: Thursday, March 04, 2010 1:53 PM
To: **b6, b7c**
Cc: **b6, b7c**
Subject: Re: Cobb County SO_Letter from **b6, b7c**

All - I'm out of the office this afternoon, but will touch base with OSLC as soon as I'm back.

b6, b7c

Associate Legal Advisor
Enforcement Law Division
(202) 732-**b6, b7c**

From: [redacted] b6, b7c
To: [redacted]
Cc: [redacted] b6, b7c
Sent: Thu Mar 04 13:48:37 2010
Subject: RE: Cobb County SO_Letter from [redacted] b6, b7c

[redacted] b6, b7c

If I can jump in.. [redacted] b6, b7c, b5DP/AC/AWP
[redacted] b6, b7c, b5DP/AC/AWP

My thoughts but I will defer to [redacted] b6, b7c

[redacted] b6, b7c

From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 1:37 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: FW: Cobb County SO_Letter from [redacted] b6, b7c

[redacted] b6, b7c

Since we discussed this a week or so ago, ELD, HQ DRO, ATL DRO, OSLC, and OPA have all weighed in but there is no consensus regarding the next move forward. By coincidence, [redacted] b6, b7c and I spoke about this issue yesterday and we were not sure if a response is actually warranted. A response is probably necessary, given the interest it has generated within the agency, but the question of who will draft it and the necessary language remains unclear. OSLC looped in [redacted] b6, b7c also. If ATL OCC or ATL DRO ultimately responds, we have in mind [redacted] b6, b7c, b5DP/AC/AWP
[redacted] b6, b7c, b5DP/AC/AWP

Thanks.

[redacted] b6, b7c

From: [redacted] b6, b7c
Sent: Wednesday, March 03, 2010 6:20 PM
To: Skinner, Felicia S; [redacted] b6, b7c
Cc: [redacted] b6, b7c
Subject: FW: Cobb County SO_Letter from [redacted] b6, b7c

[redacted] b6, b7c

RE: Letter addressed to FOD Felicia Skinner, Co [redacted] b6, b7c of the Cobb County Sheriff's Office, and me, from an atty [redacted] b6, b7c with [redacted] b6, b7c LLC, in Smyrna, GA., seeking the following information concerning 287(g)/OSLC procedure: "Specifically, before a person is interviewed by CCSO personnel pursuant to the 287(g) agreement and in connection with that person's immigration status and initiation of removal proceedings, is the person advised of that person's 'Miranda rights,' that is, the right to remain silent, to have an attorney present at

questioning, that any statements made can be used in a subsequent proceeding? Please confirm for me that when persons are interviewed and removal proceedings initiated against a person in Cobb County jail pursuant to the 287(g) pro gram, that person's rights under 4th, 5th, 6th, and 14th Amendments to the U.S. Constitution and rights as recognized by the U.S. Supreme Court in Miranda v. Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966) are observed and given full effect.”

Atlanta OCC recommended

b6, b7c, b5DP/AC/AWP

b6, b7c, b5DP/AC/AWP

Any guidance on further action?

b6, b7c

Deputy Director
Atlanta Field Office (GA, NC & SC)
Detention and Removal Operations
Department of Homeland Security
U. S. Immigration and Customs Enforcement
Office: (404) 893 b6, b7c

From: b6, b7c

Sent: Wednesday, March 03, 2010 5:17 PM

To: b6, b7c

Subject: RE: Cobb County SO_Letter from b6, b7c

b6, b7c

Don't worry, I'm getting confused too. This is the message that HQ OPLA is referring to in the chain of messages below:

From: b6, b7c

Sent: Thursday, February 25, 2010 3:22 PM

To: Skinner, Felicia S; b6, b7c

Cc: b6, b7c

Subject: RE: Letter from b6, b7c

Felicia b6, b7c

b6, b7c, b5DP/AC/AWP

b6, b7c

HQ OPLA is stating that we shouldn't respond to the inquiry at all. They're also saying that if we decide to, it should come from PAO. HQ OPLA is willing to review any response crafted by PAO. Feel free to give me a call if you have any further questions.

Thanks,

b6, b7c

National Program Manager
DHS, Immigration and Customs Enforcement
Office of State and Local Coordination
500 12th Street SW
Room 5023, MS 5014
Washington, DC 20536-5014
Desk: 202.732-
Cell: 215.651-
Email:

From:
Sent: Wednesday, March 03, 2010 4:11 PM
To:
Cc:
Subject: RE: Cobb County SO_Letter from

What I'm seeing below is that HQ OPLA says it's not theirs to respond to (should be PAO), and HQ PAO says it not theirs to respond to (should be DRO or OCC). I'm not sure if you are sending it back to me to give me an update on the status of the ongoing discussion among HQ PAO, HQ OPLA and HQ OSLC, as to who is going to respond – or if you're sending it back because they want Atlanta DRO to respond to the letter. Can you clarify?

b6, b7c
Deputy Director
Atlanta Field Office (GA, NC & SC)
Detention and Removal Operations
Department of Homeland Security
U. S. Immigration and Customs Enforcement
Office: (404) 893-

From:
Sent: Wednesday, March 03, 2010 3:26 PM
To:
Subject: Cobb COUNTY SO_Letter from

FYI

From:
Sent: Wednesday, March 03, 2010 3:17 PM
To:
Subject: FW: Letter from

b6, b7c
See below from OPLA HQ

b6, b7c
Office of State and Local Coordination
Unit Chief
500 12th Street SW, Suite 5026
Washington D.C. 20024
202-732-

202-904 [b6, b7c] c)

From: [b6, b7c]
Sent: Monday, March 01, 2010 10:05 AM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: RE: Letter from [b6, b7c]

[b6, b7c] it looks like [b6, b7c] one of our deputies in the field, responded earlier in this chain (and I agree with his response). If PAO drafts anything you want us to look at, you can have them send it to OPLA Taskings for review.

[b6, b7c]
Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor
Washington, D.C. 20024
Tel. 202-732-[b6, b7c]
Fax. 202-732-5346

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From: [b6, b7c]
Sent: Friday, February 26, 2010 3:21 PM
To: [b6, b7c]
Subject: FW: Letter from [b6, b7c]

[b6, b7c]

Sorry I forgot to loop you in.

[b6, b7c]

From: [b6, b7c]
Sent: Friday, February 26, 2010 3:18 PM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: RE: Letter from [b6, b7c]

Thanks [b6, b7c] and all,

Of course we're always ready to help. But I don't think our PAO, [b6, b7c] should be the one responding to this. This seems like either a DRO or OCC (preferably) task. Our PAO would handle this if it were a media inquiry, but this is from a law office and not really in our lane.

Thanks for understanding,

[b6, b7c]

Deputy Press Secretary
U.S. Immigration and Customs Enforcement (ICE)

202-732- [redacted] office
202-615- [redacted] cell

From: [redacted] b6, b7c
Sent: Friday, February 26, 2010 2:45 PM
To: [redacted] b6, b7c
Cc: [redacted]
Subject: FW: Letter from [redacted] b6, b7c

[redacted] b6, b7c and [redacted] b6, b7c

Not sure how you guys would like to proceed about addressing this issue. It appears that local PAO might respond. As we all know, Miranda rights are not required.

[redacted] b6, b7c

Office of State and Local Coordination
Unit Chief
500 12th Street SW, Suite 5026
Washington D.C. 20024
202-732- [redacted] (o)
202-904- [redacted] b6, b7c (c)

From: [redacted] b6, b7c
Sent: Friday, February 26, 2010 2:45 PM
To: [redacted] b6, b7c
Cc: [redacted]
Subject: FW: Letter from [redacted] b6, b7c

FYI:

See below – question from Atlanta DRO regarding 287(g) JEO encounters and Miranda warnings. It looks like DRO is intending to respond through a local PAO. Do we have anything on this topic from previous inquiries? I'd like to keep the answer simple. It looks like DRO is just trying to keep OSLC involved and see if we have a historical piece. I'm thinking OPLA, any suggestions?

[redacted] b6, b7c
National Program Manager
DHS, Immigration and Customs Enforcement
Office of State and Local Coordination
500 12th Street SW
Room 5023, MS 5014
Washington, DC 20536-5014
Desk: 202.732- [redacted] b6, b7c
Cell: 215.651. [redacted] b6, b7c
Email: [redacted] b6, b7c

From: [redacted] b6, b7c
Sent: Friday, February 26, 2010 10:36 AM
To: [redacted] b6, b7c
Cc: [redacted] b6, b7c Skinner, Felicia S; [redacted] b6, b7c
Subject: FW: Letter from [redacted] b6, b7c

[redacted] b6, b7c

As discussed, this letter is from an attorney claiming aliens processed by 287(g) in Cobb County, GA should be read their Miranda rights pursuant to the 4th, 5th, 6th and 14th amendments to the Constitution...not sure if you've had this question before but we thought it would best be addressed by OSLC at the HQ level.

I've pasted the crux of the attachment below. I'd be very interested to see the final response if you could share. Thank you.

Please confirm for me that when persons are interviewed and removal proceedings initiated against a person in Cobb County jail pursuant to the 287(g) program, that person's rights under 4th, 5th, 6th, and 14th Amendments to the U.S. Constitution and rights as recognized by the U.S. Supreme Court in Miranda v. Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966) are observed and given full effect.

b6, b7c

*Assistant Field Office Director
Immigration and Customs Enforcement
Atlanta DRO
404-893*

b6, b7c

From: b6, b7c
Sent: Thursday, February 25, 2010 5:43 PM
To: b6, b7c Skinner, Felicia S; b6, b7c
Cc: b6, b7c
Subject: RE: Letter from b6, b7c

b6, b7c

The requested information is in the nature of a general request for information about the 287(g) program. It is not a legal inquiry about a particular case. It is addressed to 3 persons. Who will respond? In fact, the writer asserts the legal position that Miranda rights are required when aliens are processed for removal proceedings. The attorney is obviously fishing for an opportunity to file litigation on the issue. That is why I recommended that the letter be shared with the PAO. At a minimum, the letter should be sent to the HQ 287(g) program for review, to see if other such letters have been received nationally and whether there is a uniform response. I am not comfortable responding until the matter has been vetted through OPLA HQ.

b6, b7c

From: b6, b7c
Sent: Thursday, February 25, 2010 3:44 PM
To: b6, b7c
Cc: b6, b7c
Subject: FW: Letter from b6, b7c

Here's the attachment.

From: Skinner, Felicia S
Sent: Thursday, February 25, 2010 3:33 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: RE: Letter from [REDACTED] b6, b7c

b6, b7c per OCC this should go to PAO

Felicia S. Skinner

Field Office Director
Department of Homeland Security
Immigration and Customs Enforcement/DRO
Georgia-North Carolina-South Carolina
404-893-[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, February 25, 2010 3:22 PM
To: Skinner, Felicia S; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: RE: Letter from [REDACTED] b6, b7c

[REDACTED] b6, b7c

The attorney's inquiry is nothing more than attempt to get information that he should be requesting through FOIA. He wants information about the intake process. We should not be disclosing general, hypothetical information regarding the intake process. His questions should be referred to the PAO.

[REDACTED] b6, b7c

From: Skinner, Felicia S
Sent: Thursday, February 25, 2010 1:38 PM
To: [REDACTED] b6, b7c
Cc: Skinner, Felicia S
Subject: RE: Letter from [REDACTED] b6, b7c

I will defer any response to this attorney to OCC as I do not intend to respond to legal questions in general.

Felicia S. Skinner

Field Office Director
Department of Homeland Security
Immigration and Customs Enforcement/DRO
Georgia-North Carolina-South Carolina
404-893-[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, February 25, 2010 1:24 PM
To: Skinner, Felicia S; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: Letter from [REDACTED] b6, b7c

Felicia:

Attached is a letter addressed to you, Col [REDACTED] b6, b7c of the Cobb County Sheriff's Office, and me. It is from an atty [REDACTED] b6, b7c in Smyrna, GA.

Atty [b6, b7c] letter requests that we answer the following questions, which are legal in nature, so I'm copying [b6, b7c] and [b6, b7c] for input as to how we should respond. Pertinent excerpts:

“Specifically, before a person is interviewed by CCSO personnel pursuant to the 287(g) agreement and in connection with that person's immigration status and initiation of removal proceedings, is the person advised of that person's 'Miranda rights,' that is, the right to remain silent, to have an attorney present at questioning, that any statements made can be used in a subsequent proceeding?”

“Please confirm for me that when persons are interviewed and removal proceedings initiated against a person in Cobb County jail pursuant to the 287(g) pro gram, that person's rights under 4", 5", 6", and 14" Amendments to the U.S. Constitution and rights as recognized by the U.S. Supreme Court in Miranda v. Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966) are observed and given full effect.”

[b6, b7c]

Deputy Director
Atlanta Field Office (GA, NC & SC)
Detention and Removal Operations
Department of Homeland Security
U. S. Immigration and Customs Enforcement
Office: (404) 893-[b6, b7c]

b6, b7c

From: [redacted] b6, b7c
Sent: Monday, February 18, 2008 3:41 PM
To: [redacted] b6, b7c; Ragsdale, Daniel H; [redacted] b6, b7c
Subject: RE: AS Prep question
Attachments: right to counsel question021808.doc

Dan [redacted] b6, b7c

Here is my first draft. Much of this came from the AS talking points prepared for the AILA liaison meeting on 12/12/07. I am cut and pasting for BB review and attaching a word version.

[redacted] b6, b7c

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

b5DP

-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Monday, February 18, 2008 2:53 PM
To: Ragsdale, Daniel H; [REDACTED] b6, b7c
Subject: Re: AS Prep question

Thanks guys.

-----Original Message-----

From: Ragsdale, Daniel H
To: [REDACTED] b6, b7c
Sent: Mon Feb 18 14:50:54 2008
Subject: Re: AS Prep question

That would be great. I will be home in not too long so I can edit.

Sent using BlackBerry

-----Original Message-----

From: [REDACTED] b6, b7c
To: Ragsdale, Daniel H; [REDACTED] b6, b7c
Sent: Mon Feb 18 11:49:03 2008
Subject: Re: AS Prep question

Dan, I'm down on the mall, I can run over to the office and draft a response. [REDACTED] b6, b7c Sent using Blackberry.

-----Original Message-----

From: Ragsdale, Daniel H
To: [REDACTED] b6, b7c
Sent: Mon Feb 18 14:23:35 2008
Subject: Re: AS Prep question

I can't do it myself I am out in Leesburg. I doubt I can get it done that fast.

[REDACTED] b6, b7c can anyone start on this now?

Sent using BlackBerry

-----Original Message-----

From: [REDACTED] b6, b7c
To: Ragsdale, Daniel H
Sent: Mon Feb 18 10:56:50 2008
Subject: Re: AS Prep question

How about by 3:00 today?

b6, b7c

-----Original Message-----

From: Ragsdale, Daniel H

To: b6, b7c

Sent: Mon Feb 18 13:55:07 2008

Subject: Re: AS Prep question

Yes. Due date?

Sent using BlackBerry

-----Original Message-----

From: b6, b7c

To: Ragsdale, Daniel H

Sent: Mon Feb 18 10:51:56 2008

Subject: AS Prep question

Dan,

Here is the prep question. Can you craft a lawyers response?

b6, b7c

Question: Civil right activists have accused ICE immigration officials of denying legal aid to some of the 130 suspected undocumented workers caught during a raid in Los Angeles on Tuesday, February 8th. The National Lawyers guild accused ICE officials of not allowing some workers access to attorneys for their post-raid interviews. The Guild also accused ICE of using 'coercion tactics' to get workers to admit that they were illegal immigrants before they could have a court hearing. One detained worker said ICE agents were physically and verbally abusive during the raid. Immigration right activists said that civil rights activists are considering filing a civil rights lawsuit against ICE.

Civil Rights groups filed a Federal lawsuit on Thursday, February 14, 2008, seeking a restraining order against immigration officials who blocked workers detained in a raid at a manufacturing plant from consulting with their attorneys. ACLU is investigating the following civil rights violations: mass handcuffing of workers, and threatening gestures of ICE agents, such as holding of hands to guns, and preventing detained workers from calling their families.

What happened during the raid at Micro Solutions Enterprises on February, 7, 2008?

Answer: pending

How many aliens are being detained?

Answer: pending

Were the workers permitted to speak with legal counsel before they were questioned? Please explain.

Answer: pending

b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, September 25, 2007 6:12 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: [REDACTED] b6, b7c et al. v. US DHS et al, [REDACTED] b6, b7c Record and Electronic Mail Preservation
Importance: High

SAC Arnold and Program Director Ryan:

Attached is a complaint regarding the above-referenced matter, which was filed in federal district court in Minnesota on September 4, 2007. Please note that ICE employees are currently required to preserve records, including electronic mail, relating to significant actions taken in the course of conducting DHS business, pursuant to DHS Management Directive 0550.1 (Records Management) and DHS Records Management Handbook (V.2 January 2005). Furthermore, the Federal Rules of Civil Procedure require that a party to a lawsuit must disclose electronically stored information, such as electronic mail, as well as documents that it may use to support its claims or defenses unless the party can show that a search would be unduly burdensome or otherwise asserts a privilege. (Fed. R. Civ. P. 26 (a)(1)(B), 26(b)(2) and 34(a)).

For these reasons, **any ICE employee in possession of documents relating to the enforcement action regarding ICE O [REDACTED] b7e as it was implemented in Minnesota, or documents stemming from the enforcement action, including electronically stored information, MUST PRESERVE these materials for litigation purposes.** Under no circumstances should ICE employees destroy any applicable materials.

For any questions about this record preservation email, please contact [REDACTED] b6, b7c of the Office of the Principal Legal Advisor at (212) 264 [REDACTED] b6, b7c

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [REDACTED] (tel)
347.801 [REDACTED] b6, b7c (mobile)
212.264.4392 (fax)

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Friday, October 03, 2008 6:33 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: Op Fowl Play-Attorney Access

Sir,

In light of the recent change fixing a maximum of 12 hours of custody at the temporary processing site, suggest the following change to access policy which [REDACTED] b6, b7c can promulgate (in concert with OI) in the Legal Issues briefing to all agents:

Preferred access for attorneys with clients is to be provided at the detention facility whose infrastructure and visitation rules are designed for this purpose. Evaluation of requests for access will be evaluated by OPLA HQ Attorneys on-site. Accordingly, after consultation with HQOPLA, attorneys appearing at the temporary processing site will be directed to the detention facility. Exceptions to this general rule may be made on a case-by-case basis consistent with operational necessity and officer safety.

Rationale: The legal counsel to OI must be that this end-state is preserved: OI ceases questioning as to removability in those cases where attorneys have legitimately requested access to their clients. OI can either permit the attorney access for the remainder of questioning as to removability (not simply the booking questions) at either the temporary processing site or at the detention facility. The infrastructure at the detention facility makes it the more attractive option. However, a hard rule where we direct all attorneys to the detention facility may appear to be unreasonable in cases where questioning is near completion, as eg prompting those familiar calls of complaint to Congressional representatives. We think a general rule with flexibility is the safest guidance with which to arm our team since those judgment calls will be difficult to assess until we are on the ground. If you concur, we will execute.

[REDACTED] b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.616.[REDACTED] b6, b7c
f: 202.514.0455

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b6, b7c

From: [REDACTED]
Sent: Tuesday, June 02, 2009 3:09 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: AILA Conference Talking Points for [REDACTED]

Ok, thanks

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Sent: Tue Jun 02 12:57:49 2009
Subject: RE: AILA Conference Talking Points for [REDACTED]
[REDACTED] copying [REDACTED]

I believe [REDACTED] has provided response to [REDACTED] on the very same questions. I am unsure how she got involved in all this but the reason I say this is I don't want duplicate or multiple proposed responses floating around. I understand [REDACTED] is revising the final proposed responses sometime today. I have attached what he sent out yesterday as well as the email b/n [REDACTED] and I as reference.

[REDACTED] do you disagree? However [REDACTED] pls. let me know if you want me to execute or stand down and I can simply re-write and send back.

[REDACTED]

From: [REDACTED]
Sent: Tuesday, June 02, 2009 11:06 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: AILA Conference Talking Points for [REDACTED]

The questions in the email (not the word doc) are your priority for today. Draft responses for my review by 2. Use vetted language if possible. Thanks, [REDACTED]

[REDACTED] can you confirm ELD is not on the hook for any of the responses in the doc?

[REDACTED]
Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732.[REDACTED]
f: 202.732.5025

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From: [REDACTED] b6, b7c
Sent: Monday, June 01, 2009 4:02 PM
To: ELD Taskings; [REDACTED] b6, b7c

Subject: AILA Conference Talking Points for [REDACTED] b6, b7c

[REDACTED] b6, b7c is speaking on an AILA panel this Thursday. Please provide talking points in bullet form, and background, if necessary, for the following by 10 am Wednesday June 3rd.

The 2008 AILA ICE questions are attached for reference.

Thanks

1. Enforcement Priorities – ICE, EOIR and USCIS

ICE – Secretary Napolitano’s new Worksite Enforcement Strategy directs greater focus on employers who knowingly hire unauthorized aliens, and away from the aliens employed by them without authorization, in a reorientation away from large-scale workplace actions and the often-mass arrests and detentions that follow. Please tell us a bit about how that change translates into the:

- treatment of unauthorized aliens encountered in terms of decisions on arrest,
- initiation of proceedings,
- custody and detention,
- discretionary determinations to go forward in court, and
- discretionary decisions on consent to relief.

2. F-1 OPT “Cap-Gap” Issues (Questions for all participants are included so you have the context. Please provide information for the responses to ICE questions in bold).

The F-1 OPT regulation that provides cap-gap protection by extending the status of F-1 students whose petitions are selected in the H-1B lottery leaves several unanswered questions regarding international travel, eligibility for visa issuance, and documentation for employment verification purposes. In liaison, CBP indicated that a student who is properly maintaining F-1 status by engaging in OPT authorized work who travels abroad may be readmitted to the U.S. upon presentation of a properly-endorsed I-20, a visa (if required), original I-797 receipt notice for the H-1B petition, and the student’s F-1 OPT EAD, which is extended by operation of the regulation.

- **DOS:** If the student needs a visa to reenter during this period, what documents will the student need to present?
- **USCIS:** What documents will an employer need to see to update the I-9 after the OPT EAD expires?
- **ICE: Do you agree with USCIS?** [REDACTED] b5DP
- **ICE: What documents will a qualifying student have to present if the student is encountered by one of your agents?**
- **USCIS:** Does departure from the U.S. after the change of status application has been approved, but before it becomes effective, have a bearing on the student’s eligibility for the requested change of status? We believe that the longstanding “last action” practice should control, and that departure and return of the F-1 OPT student will not adversely impact the pending change of status, and is in furtherance of the policy goals the “cap-gap” rule seek to advance.

An Aside on SEVIS and Status:

When USCIS approves the change of status application for a date in the future, sometimes the SEVIS record will be changed and the student will be taken out of SEVIS.

USCIS: What steps is USCIS taking to prevent this erroneous termination of the student from SEVIS?

ICE: How does the student get reinstated to F-1 status for the duration of the F-1 “cap-gap” student status and OPT?

b6, b7c
Senior Management Counsel
DHS-ICE-OPLA
202.732.6, b7c

b6, b7c

From: [REDACTED] b6, b7c
Sent: Wednesday, July 23, 2008 12:38 PM
To: [REDACTED] b6, b7c
Subject: Fw:
Attachments: [REDACTED] b6, b7c Myers decl draft rev#1.eld.doc; [REDACTED] b6, b7c Torres decl draft rev#1.eld.doc

Sent from my BlackBerry Wireless Handheld

From: [REDACTED] b6, b7c
To: [REDACTED] b6, b7c
Sent: Tue Jul 22 17:04:42 2008
Subject: RE:

[REDACTED] b6, b7c
I added a comment on each document. Let's discuss.
[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, July 22, 2008 3:20 PM
To: [REDACTED] b6, b7c
Subject:

[REDACTED] b6, b7c Per our conversation, here are the drafts. Thank you in advance for your help.

[REDACTED] b6, b7c
Deputy Chief for Tort Litigation
Commercial & Administrative Law Division
Office of the Principal Legal Advisor
U.S. Immigration & Customs Enforcement
425 Eye Street NW
Washington, DC 20536

[REDACTED] b6, b7c

Tel. (202) 514-[REDACTED] b6, b7c
Fax (202) 514-0455

b6, b7c

From: [REDACTED]
Sent: Tuesday, June 02, 2009 3:51 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: AILA Conference Talking Points for Barry

b6, b7c

See my earlier email (from this morning, not the one from last night) sent to [REDACTED] my response was limited to WSE.

b6, b7c

Sent using Blackberry.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Sent: Tue Jun 02 15:08:43 2009
Subject: Re: AILA Conference Talking Points for [REDACTED]

Ok, thanks

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Sent: Tue Jun 02 12:57:49 2009
Subject: RE: AILA Conference Talking Points for [REDACTED]
[REDACTED] copying [REDACTED]

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b6, b7c

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To: [REDACTED]
Cc: [REDACTED]
Subject: FW: AILA Conference Talking Points for [REDACTED]

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b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732. b6, b7c
f: 202.732.5025

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To: ELD Taskings; b6, b7c

Subject: AILA Conference Talking Points for b6, b7c

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Thanks

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- initiation of proceedings,
- custody and detention,
- discretionary determinations to go forward in court, and
- discretionary decisions on consent to relief.

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- DOS: If the student needs a visa to reenter during this period, what documents will the student need to present?
- USCIS: What documents will an employer need to see to update the I-9 after the OPT EAD expires?

- **ICE: Do you agree with USCIS?** [REDACTED] b5DP

- **ICE: What documents will a qualifying student have to present if the student is encountered by one of your agents?**

- USCIS: Does departure from the U.S. after the change of status application has been approved, but before it becomes effective, have a bearing on the student's eligibility for the requested change of status? We believe that the longstanding "last action" practice should control, and that departure and return of the F-1 OPT student will not adversely impact the pending change of status, and is in furtherance of the policy goals the "cap-gap" rule seek to advance.

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ICE: How does the student get reinstated to F-1 status for the duration of the F-1 "cap-gap" student status and OPT?

[REDACTED] b6, b7c
Senior Management Counsel
DHS-ICE-OPLA
202.732. [REDACTED] b6, b7

b6, b7c

From: [REDACTED] b6, b7c
Sent: Wednesday, March 18, 2009 8:07 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: Re: AILA Conference

Ok will do. When do you need it back by? Also do you want me to route thru ELD taskings?

Sent using a BlackBerry

From: [REDACTED] b6, b7c
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Sent: Wed Mar 18 20:01:46 2009
Subject: FW: AILA Conference

[REDACTED] b6, b7c homework for you. See string below. I'd like a short talking point for [REDACTED] b6, b7c that deals with Dan's scenario of an overstay. I have the old Lopez settlement stuff on file if you need it. [REDACTED] b6, b7c analysis is helpful, but I want Dan's overstay scenario answered- is the 213 in that case an examination for purposes of 287.3?

[REDACTED] b6, b7c
Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732.[REDACTED] b6, b7c
f: 202.732.5025

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From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 5:55 PM
To: [REDACTED] b6, b7c
Subject: FW: AILA Conference

This is [REDACTED] b6, b7c take. This is probably a longer term project for someone to run down the memos and cases he is talking about. I think that this crisis is over.

From: [REDACTED] b6, b7c
Sent: Wednesday, March 18, 2009 5:01 PM
To: Ramlogan, Riah

Cc: [redacted] b6, b7c
Subject: RE: AILA Conference

During the 8 CFR 287.3 processing a represented alien is entitled to have his or her attorney present. In fact, based upon old Lopez settlement and the subsequent INS Commissioner Instruction memos should an alien ask for time to consult a lawyer we have advised DRO/OI they must stop processing for two hours to give the alien an opportunity to secure an attorney. That two hour period starts when they get access to a phone not while the sit in cell an hour and only get to phone at second hour.

From: Ramlogan, Riah
Sent: Wednesday, March 18, 2009 4:45 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: RE: AILA Conference

So what is the answer to the legal question – Is an alien who requests it, entitled to have representation when being examined by an arresting officer for the purpose of obtaining information to enter on an I-213? If he is not, what is the legal authority for that proposition.

[redacted] b6, b7c

[redacted] b6, b7c

non-responsive duplicate

[redacted] b6, b7c

[redacted] b6, b7c

non-responsive duplicate

non-responsive duplicate

non-responsive duplicate

b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, June 02, 2009 11:26 AM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: Re: AILA Conference Talking Points for Barry

Just bullet points for the text of the message. The attachment is from last year; that was just sent as an example.

[REDACTED] b6, b7c
Deputy Chief, ELD, OPLA
U.S. Immigration and Customs Enforcement
202-732-[REDACTED] b6, b7c

*** Sent by BlackBerry Wireless ***

non-responsive duplicate

non-responsive duplicate

b6, b7c

From: [REDACTED] b6, b7c
Sent: Wednesday, October 20, 2010 6:12 PM
To: [REDACTED] b6, b7c
Cc:
Subject: RE: ANSWER DUE DECEMBER 8, 2010, [REDACTED] b6, b7c . Morton et al (AS MORTON), [REDACTED] b6, b7c N.D. Ga.)
Attachments: DOJ_Forwarding.102010.doc; ICE Director_notification.102010.doc; Morton_Request_Mem.102010.doc; [REDACTED] b6, b7c v Morton (287g).pdf; SERVICE OF PROCESS_AS_[REDACTED] b6, b7c OC; Preservation Notice-[REDACTED] b6, b7c -Morton Only.doc
Importance: High

b6, b7c

Attached please find the following:

- Draft DOJ Forwarding Memo; and
- Draft ICE Director Notification of Lawsuit Memo

Also attached are the *attachments* to the above-referenced memos:

- Attachment A: Draft Memorandum Requesting Representation and DOJ Form 399 (for both above-referenced memos when it is approved as final and signed by AS Morton);
- Attachment B: Copy of the Complaint (for both above-referenced memos);
- Attachment C: Service of Process Election (for ICE Director Forwarding Memo *only*); and
- Attachment D: Preservation Notice, [REDACTED] b6, b7c v. *John Morton et al*, Case No. [REDACTED] b6, b7c [REDACTED] b6, b7c N.D.Ga. filed October 8, 2010), prepared by Dan Myers, (for ICE Director Forwarding Memo *only*)

Also, I have not reviewed the § 287(g) MOU between AS Morton and local Cobb County police officers, so I would verify that AS Morton in fact entered into the agreement in October 2009, per the allegations in the complaint.

Finally, I am keeping the due date of December 8, 2010, sixty (60) days from the filing date, in the rep tracker because AS Morton is being sued in both his official and individual capacities.

[REDACTED] b6, b7c In case I am absent from work when this rep package is approved and ready to be forwarded to DOJ, you can send AS Morton's representation request to the following **DOJ OIL email address:** [REDACTED] b6, b7c with copy to DOJ OIL case manager, [REDACTED] b6, b7c, or [REDACTED] b6, b7c

I will update the Rep Tracker on CALD Sharepoint

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264.[REDACTED] b6, b7c (tel)
347.801 [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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From: [REDACTED] b6, b7c
Sent: Monday, October 18, 2010 2:47 PM
To: [REDACTED] b6, b7c
Subject: RE: ANSWER DUE DECEMBER 8, 2010, [REDACTED] b6, b7c v. Morton, No. 10-____, (N.D. Ga.)

OK, but we should not wait for service to begin the rep packet. Wanted to make sure we're both in agreement on that. Thanks,

[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Monday, October 18, 2010 12:55 PM
To: [REDACTED] b6, b7c
Subject: ANSWER DUE DECEMBER 8, 2010 [REDACTED] b6, b7c v. Morton, No. 10-____, (N.D. Ga.)

Once I received the go by forwarding memo to Director Morton, I will find out whether the ICE Director's office was served with the complaint. Fed.Civ.R.Pro Rule 12(a)(3)) provides that the individual defendant has to file an answer 60 days from when the USAO was served or when the individual federal employee was served, whichever is later. For now, we have December 8, 2010, as the answer date because that was when the USAO in GA was served.

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264 [REDACTED] (tel)
347.801 [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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From: [REDACTED] b6, b7c
Sent: Monday, October 18, 2010 11:20 AM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: [REDACTED] b6, b7c v. Morton, No. 10-____, (N.D. Ga.)

I do not know the name but can get you the info. Agreed the Bivens piece is poorly pled.

FYI. [b6, b7c] and [b6, b7c] aren't cc'ed on this e-mail.

From: [b6, b7c]
Sent: Monday, October 18, 2010 11:16 AM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: [b6, b7c] v. Morton, No. 10-____, (N.D. Ga.)
Importance: High

Thank you [b6, b7c]. Do you know who has this in DOJ? We have at least one excellent AUSA in that district, and the *Bivens* count here is poorly written and pled.

[b6, b7c] I see this as 90% injunctive (the exact opposite of last Friday's feature, in other words). Do you agree?

Dan, Please handle the torts side of this as discussed. It screams out for a 12(b)(6) *Iqbal* motion and a jurisdictional attack on 8 U.S.C. § 1252(b)(9) & (g) grounds. Let's also explore our odds of getting discovery stayed as to *Bivens* while that pend.

[b6, b7c] We have one rep request here, and it's for Director Morton. In a moment, I will send you the corrected version of the last one of these we did, which you can use as a template.

[b6, b7c] For your records. [b6, b7c] please add to the case list with the description as follows: *Plaintiffs, represented by [b6, b7c] sue for injunctive relief for the removal of their clients during the pendency of criminal charges filed by local authorities with delegated 287(g) authority. They seek class certification. One Bivens count is also alleged against Director Morton.*

Thanks,

[b6, b7c]

From: [b6, b7c]
Sent: Monday, October 18, 2010 10:05 AM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: RE: SCR--DCLS- [b6, b7c]

Hah..here it is. Complaint isn't on-line yet but I assume it will soon be.

From: [b6, b7c]
Sent: Monday, October 18, 2010 10:02 AM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: RE: SCR--DCLS- [b6, b7c]

Do you have the complaint or a case number? Pls copy [b6, b7c], [b6, b7c] when you respond so he can get going with the rep requests.

November came early this year, dammit. Thx.

[b6, b7c]

From: [b6, b7c]
Sent: Monday, October 18, 2010 9:49 AM

To: [REDACTED] b6, b7c
Subject: FW: SCR--DCLS-- [REDACTED] b6, b7c

b6, b7c -fyi. This suit has a Bivens piece to it.

From: [REDACTED] b6, b7c
Sent: Friday, October 15, 2010 6:28 PM
To: Ramlogan, Riah
Cc: [REDACTED] b6, b7c OPLA Special Counsel; [REDACTED] b6, b7c
[REDACTED] b6, b7c
Subject: RE: SCR--DCLS-- [REDACTED] b6, b7c

Riah--

Per your request, attached pls. find SCR from OCC--ATL. I have also attached the complaint as a reference (just in case).

As a background, on October 8, 2010 the U.S. Attorney's Office for the Northern District of Georgia was served with the Complaint whereby Plaintiffs ([REDACTED] b6, b7c) are seeking Injunctive and Declaratory Relief. The Complaint alleges that ICE has provided insufficient training and oversight of local law enforcement officers who are currently cross-designated under the 287(g) program. Plaintiffs are further requesting an order certifying the Complaint as a class action pursuant to Rules 23(a) and (b)(2) of the Federal Rules of Civil Procedure. The proposed class in the Complaint is defined as "*All Hispanic persons who have been or will be restrained and interrogated within the State of Georgia pursuant to an Agreement entered into by any State or local government, or any agency or department thereof, with the United States Department of Homeland Security, Immigration and Customs Enforcement pursuant to INA §287(g).*" Director Morton is named as one of the Defendants in his official as well as individual Capacity.

Pls. let me know if you have any questions.

R/
[REDACTED] b6, b7c

[REDACTED] b6, b7c
Associate Legal Advisor
U.S. Immigration and Customs Enforcement

(202) 732-[REDACTED] b6, b7c (O)

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b6, b7c

From: [REDACTED]
Sent: Thursday, March 19, 2009 8:41 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: AILA Conference--PLS SEE [REDACTED] Talking Points
Attachments: AILA Talking Points.doc
Importance: High

[REDACTED]

Per your request this is what I prepared. I couldn't locate any of the INS memo (6), (b)(7) refers to but I believe this addresses the dance [REDACTED] is supposed to be doing. To the extent we can avoid the issue altogether b/c it is currently under litigation, it is far more better. But our clearly established policy/guidelines he can adhere to and basically say "it all depends on..."

Hope you get my drift. Let me know if this wasn't what you were looking for.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, March 18, 2009 8:17 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: AILA Conference

Speech is fri. need by tomorrow afternoon.

[REDACTED]

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.732 [REDACTED]
f: 202.732.5025

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From: [REDACTED]
Sent: Wednesday, March 18, 2009 8:07 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: AILA Conference

b6, b7c

b6, b7c

b6, b7c

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Monday, March 22, 2010 11:51 AM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

b6, b7c

[REDACTED] b5DP

b6, b7c

From: [REDACTED] b6, b7c
Sent: Friday, March 19, 2010 4:07 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

b6, b7c

I'm covering for [REDACTED] b6, b7c while she's out for a couple days, and hoping we can make some headway for the client on the response to this letter. I wanted to run by you the edits ELD has come up with for the Sherriff's Office response to the [REDACTED] b6, b7c [REDACTED] b6, b7c letter. Let us know your thoughts. I'm attaching their draft response. These are these are the edits to what they have proposed:

Dear Mr. [REDACTED] b6, b7c

[REDACTED] b5DP

Respectfully,

[REDACTED] b6, b7c

Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor

Washington, D.C. 20024

Tel. 202-732-b6, b7c

Fax. 202-732-5346

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From: b6, b7c
Sent: Thursday, March 04, 2010 4:09 PM
To: b6, b7c
Cc: b6, b7c Ramlogan, Riah; b6, b7c
Subject: RE: Cobb County SO_Letter from b6, b7c

Thanks, b6, b7c I'll check with the DFOD to see if Cobb County has generated a draft response for OPLA review.

b6, b7c

From: b6, b7c
Sent: Thursday, March 04, 2010 3:28 PM
To: b6, b7c
Cc: b6, b7c
Subject: RE: Cobb County SO_Letter from b6, b7c

All,

I have spoken to OSLC and since this letter was directed to both the Sheriff and the FOD, OSLC is looking to the LEA to respond but have ICE's review and input (While OSLC would be happy not to respond---the LEA will if we don't). OSLC is going to discuss with the field to see if they have anything yet from the LEA. Either way, OSLC is looking for OPLA to assist with draft language. I think the language b6, b7c has recommended is the way to go---a generic response. However OSLC would like to add to this if possible.

b6, b7c will take the lead on the draft language, making sure to discuss with b6, b7c

Once we come up with the draft language we can discuss with SM to ensure that the response is OPLA cleared. b6, b7c can then work with OSLC, b6, b7c and his FOD to make sure we close the loop on this one.

b6, b7c
Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-b6, b7c
Blackberry: 602-690-b6, b7c

From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 2:06 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: RE: Cobb County SO_Letter from [redacted] b6, b7c

Is a SCR necessary at this juncture?

From: [redacted] b6, b7c
Sent: Thursday, March 04, 2010 2:04 PM
To: [redacted]
Cc: [redacted] b6, b7c
Subject: RE: Cobb County SO_Letter from [redacted] b6, b7c

[redacted] b6, b7c

After reading all the exchanges I can see the lack of consensus.

Let [redacted] b6, b7c and I discuss with OSLC here---I think in the end given the level of interest on 287g, we might want to recommend to OSLC that we advise the A/S at our weekly meeting and make sure that we respond according to their wishes.

[redacted] b6, b7c and I will discuss with OSLC here at HQ and try to get a definite course of action.

[redacted] b6, b7c
Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-[redacted] b6, b7c
Blackberry: 602-690-[redacted] b6, b7c

[redacted] b6, b7c

[redacted] b6, b7c

[redacted] b6, b7c

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, September 25, 2007 6:12 PM
To: Arnold, Claude P; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: [REDACTED] b6, b7c et al. v. US DHS et al, [REDACTED] b6, b7c Record and Electronic Mail Preservation

Importance: High

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b6, b7c

From: Ramlogan, Riah [REDACTED] b6, b7c
Sent: Friday, February 05, 2010 3:24 PM
To: [REDACTED] b6, b7c; Ramlogan, Riah; [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c
Subject: RE: MD enforcement action

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b6, b7c

b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 2:17 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

b6, b7c

I think that would be helpful but I would ultimately defer to you and [REDACTED], (b)(7). However, we had a similar situation a while ago (on detainers) and the letter eventually was issued by Peter Vincent. I don't know that this will be necessary here but it is always a possibility. I'm going to discuss with OSLC but anymore information you can provide us would be helpful!!

Thanks!

b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732 [REDACTED] b6, b7c
Blackberry: 602-690 [REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 2:06 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

Is a SCR necessary at this juncture?

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 2:04 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

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b6, b7c

From:

b6, b7c

Sent:

Thursday, March 04, 2010 1:49 PM

To:

Cc:

b6, b7c

Subject:

RE: Cobb County SO_Letter from

b6, b7c

Importance:

High

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, March 16, 2010 3:08 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c
Attachments: Form I-826.pdf

See attached form. It's a CBP doc – "Notice of Rights and Request for Disposition."

b6, b7c – thoughts on moving forward? I tend to agree with [REDACTED] b6, b7c – that this response is still sufficient.

[REDACTED] b6, b7c
Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor
Washington, D.C. 20024
Tel. 202-732-[REDACTED] b6, b7c
Fax. 202-732-5346

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From: [REDACTED] b6, b7c
Sent: Tuesday, March 16, 2010 2:58 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

I think the response as written is fine. No additional comments from me.

What's an I-826? Is DRO referring to I-862 (NTA)?

From: [REDACTED] b6, b7c
Sent: Monday, March 15, 2010 5:54 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

b6, b7c et. al.,

I wanted to follow up on my email below. [REDACTED] (b)(6), (b)(7)(C) in 287(g) training down at ICE Academy responded to a question we posed through [REDACTED] b6, b7c re: advisals regarding 287.3(c). However the response we got back I think presents a problem. Overall it appears this provision is trained upon, but (1) it doesn't appear the I-826 Form (a form [REDACTED] b6, b7c and I looked at, and I think he may have shown you that gives advisals on rights/access to attorneys) is given during the screening process, which is part of what the [REDACTED] b6, b7c letter asks about; (2) it appears it may not be given

at all to LPRs booked in on misdemeanor charges. The second point might be fine – because I think what [b6, b7c] is saying is that those guys are screened out, ie., they aren't issued NTAs, so that's overall not an issue for us, nor the folks the letter is addressing. Do you all think I am reading that correctly?

Anyway, I know [b6, b7c] is hopeful we can send our comments soon, so I wanted to bring this to your attention asap. Our draft edits to the Cobb County Sheriff's Dept letter going out is in the email chain below.

[b6, b7c]

Here's is [b6, b7c] full response:



b5DP

[b6, b7c]
Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor
Washington, D.C. 20024
Tel. 202-732-[b6, b7c]
Fax. 202-732-5346

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From: [b6, b7c]
Sent: Friday, March 05, 2010 2:42 PM
To: [b6, b7c]
Cc: [b6, b7c]
Subject: RE: Cobb County SO_Letter from [b6, b7c]
Importance: High

b6, b7c

As Paul and I discussed – here would be our edited/streamlined text of the response letter from the LEA. Our advice to OSLC and the LEA is to keep it as simple as possible. This text ensures that the response given by the LEA will match any response OSLC sends in the future.

Just a note – as you know, I sent b6, b7c an email asking him to confirm that

b5DP

b5DP

b6, b7c

b5DP

SO – might want to hold

off until we hear from him before sending these edits back.

Dear Mr. b6, b7c

This correspondence will respond to your letter of February 12, 2010, requesting clarification on whether individuals being processed into jail custody and screened pursuant to the Section 287(g) program are advised of their Miranda rights.

b5DP

I hope that this adequately responds to your concerns.

Respectfully,

b6, b7c

b6, b7c

Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th St., S.W., 9th Floor
Washington, D.C. 20024
Tel. 202-732- b6, b7c
Fax. 202-732-5346

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From: b6, b7c

Sent: Thursday, March 04, 2010 4:40 PM

To: b6, b7c

Cc: b6, b7c

Subject: FW: Cobb County SO_Letter from b6, b7c

FYI

b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-
Blackberry: 602-690-

From:
Sent: Thursday, March 04, 2010 4:25 PM
To:
Cc:
Subject: FW: Cobb County SO_Letter from

FYI

From:
Sent: Thursday, March 04, 2010 4:24 PM
To:
Cc: Skinner, Felicia S;
Subject: RE: Cobb County SO_Letter from

b6, b7c As requested, attached is a copy of Cobb County's proposal for their response. They have not yet sent it, and I asked if they would hold off until we review, to which they agreed. I am copying local OCC as well as our FOD so they will be aware. Thanks to all for working with us to get them a response. As you are aware, this is very important to us in our ongoing relationship w/ the local jurisdictions, which is key to the success of our 287(g) programs here.

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b6, b7c

From:

b6, b7c

Sent:

Thursday, March 04, 2010 3:28 PM

To:

b6, b7c

Cc:

Subject:

RE: Cobb County SO_Letter from

b6, b7c

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b6, b7c

From: [redacted] b6, b7c
Sent: Friday, March 19, 2010 4:07 PM
To: [redacted] b6, b7c
Cc:
Subject: RE: Cobb County SO_Letter from [redacted] b6, b7c
Attachments: 287g [redacted] b6, b7c Response by Cobb 2010_03_02.pdf

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Refer to DOJ

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refer to DOJ

b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, September 09, 2008 3:43 PM
To: [REDACTED] b6, b7c
Subject: RE: worksite issues

b5DP/AC

I am happy to respond to [REDACTED] b6, b7c but I have little experience in this area, so if I am missing something, please pipe up before I embarrass myself. Thanks.

Regards,

[REDACTED] b6, b7c

Associate Legal Advisor
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
office: (202) 616 [REDACTED] b6, b7c
blackberry: (202) 373 [REDACTED] b6, b7c

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From: [REDACTED] b6, b7c
Sent: Tuesday, September 09, 2008 3:08 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: RE: worksite issues
Importance: High

Thanks—I am hoping to get this nailed down soon so the information can be disseminated before tomorrow. My bb number is 213-494 [REDACTED] b6, b7c or the office number I am at is 909-386 [REDACTED] b6, b7c

[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, September 09, 2008 12:05 PM

To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: worksite issues

[REDACTED] b6, b7c will call.

[REDACTED] b6, b7c I have [REDACTED] b6, b7c in my office for reference.

Christopher Buchanan
[REDACTED] b6, b7c
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.616 [REDACTED] b6, b7c
f: 202.514.0455

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From: [REDACTED] b6, b7c
Sent: Tuesday, September 09, 2008 2:38 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: worksite issues
Importance: High

To all:

On rather short notice, [REDACTED] b6, b7c and I attend the all-hands briefing yesterday for the worksite case [REDACTED] b7e that is scheduled to be executed tomorrow at 11:00AM in the Palm Spring area. The agents anticipate 20-30 administrative arrests. Several questions have arisen regarding the processing of aliens and I am seeking additional guidance in order to be consistent with national policy.

b5DP/AC

Thank you

b6, b7c

b6, b7c

From: [REDACTED] b6, b7c
Sent: Saturday, October 04, 2008 3:42 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: Re: Op Fowl Play-Attorney Access

b6, b7c

I will assume he is OK with our proposed plan and I will update the power point as discussed. I will forward shortly.

b6, b7c

Sent using Blackberry.

From: [REDACTED] b6, b7c
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Sent: Sat Oct 04 12:13:23 2008
Subject: Re: Op Fowl Play-Attorney Access

No.

From: [REDACTED] b6, b7c
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Sent: Sat Oct 04 10:33:02 2008
Subject: Re: Op Fowl Play-Attorney Access

Any update from Michael?

b6, b7c

Sent using Blackberry.

From: [REDACTED] b6, b7c
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Sent: Fri Oct 03 18:32:53 2008
Subject: Op Fowl Play-Attorney Access
Sir,

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Friday, October 03, 2008 6:46 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: Op Fowl Play-Attorney Access

b6, b7c

After we get the green light from (b)(6), (b)(7)(d) will incorporate into our big tent briefing. I think the main consideration as to whether or not to facilitate access at the processing center will be time. (How close we are to the 12 hours clock deadline). I am actually giving the briefing twice, once to the supervisors on Sunday and again on Monday to all participating in the operation.

b6, b7c

From: [REDACTED] b6, b7c
Sent: Friday, October 03, 2008 6:33 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: Op Fowl Play-Attorney Access

Sir,

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, July 24, 2008 4:31 PM
To: [REDACTED] b6, b7c
Subject: MN lawsuit, AS Myers and DAS Torres Declarations
Attachments: [REDACTED] b6, b7c Myers decl draft rev#1.eld.doc; [REDACTED] b6, b7c Torres decl draft rev#1.eld.doc

[REDACTED] b6, b7c attached are [REDACTED] b6, b7c comments on the AS Myers and DAS Torres declarations that I prepared.

[REDACTED] b6, b7c is taking over as Agency counsel for the [REDACTED] b6, b7c case and will be working with you on getting these declarations completed.

Enjoy.

[REDACTED] b6, b7c

[REDACTED] b6, b7c Associate Legal Advisor
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
26 Federal Plaza, Rm. 11th Floor Litigation, New York, N.Y. 10278
212.264. [REDACTED] (tel)
347.801. [REDACTED] b6, b7c (mobile)
212.264.4534 (fax)

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-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Wednesday, July 23, 2008 12:38 PM
To: [REDACTED] b6, b7c
Subject: Fw:

Sent from my BlackBerry Wireless Handheld

From: [REDACTED] b6, b7c
To: [REDACTED] b6, b7c
Sent: Tue Jul 22 17:04:42 2008
Subject: RE:

[REDACTED] b6, b7c
I added a comment on each document. Let's discuss.

[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Tuesday, July 22, 2008 3:20 PM
To: [REDACTED] b6, b7c
Subject:

[REDACTED] b6, b7c Per our conversation, here are the drafts. Thank you in advance for your help.

[REDACTED] b6, b7c
Deputy Chief for Tort Litigation
Commercial & Administrative Law Division
Office of the Principal Legal Advisor
U.S. Immigration & Customs Enforcement
425 Eye Street NW
Washington, DC 20536

[REDACTED] b6, b7c

Tel. (202) 514- [REDACTED] b6, b7c
Fax (202) 514-0455

b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 12, 2009 1:56 PM
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Subject: RE: OP Plan
Attachments: GLNB Op Plan v-2.OCC-CHI edits.3 12 09.doc

b6, b7c

Please find attached our edits and comments. [REDACTED] b6, b7c and I found a couple items that we're not sure if they were discussed: (1) legal authority for the "secondary inspection/Terry Stop/determining immigration status; and (2) clearly articulating the alien's access to counsel.

As we mentioned to [REDACTED] b6, b7c we are very appreciative of your assistance in our worksite operation, and look forward to working with you to make sure that we as lawyers provide our client the best advice and counsel as possible. [REDACTED] b6, b7c is our office's POC on this operation (BlackBerry 847-769-[REDACTED] b6, b7c), and we plan to have him at the pre-briefing and at the base on the day of the operation. As such, I hope that you and [REDACTED] b6, b7c touch base on the logistics of your travel to our cold city as well as any types of presentations or other planned activities you have for that day.

I've copied [REDACTED] b6, b7c on this message as she is our Senior Attorney leading the OI Team, and will be assisting you all on this operation if need be (BlackBerry: 312-672-[REDACTED] b6, b7c, and [REDACTED] b6, b7c who will be in town next week (while my portfolio includes OI matters, I'll be in Dallas at the LDC next week).

I wish everyone great success in this operation,

Regards,

[REDACTED] b6, b7c Deputy Chief Counsel
Office of the Chief Counsel
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
55 E. Monroe Street, Suite 1700
Chicago, Illinois 60603
312.984-[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 12, 2009 11:54 AM
To: [REDACTED] b6, b7c
Subject: Fw: OP Plan

[REDACTED] b6, b7c

As requested.

[REDACTED] b6, b7c

Sent using Blackberry.

From: [REDACTED] b6, b7c
To: [REDACTED]
Cc: [REDACTED] b6, b7c
Set: Wed Mar 11 18:41:50 2009
Subject: FW: OP Plan
[REDACTED] b6, b7c

Attached pls find OP Plan with my initial edits.

From: [REDACTED] b6, b7c
Sent: Wednesday, March 11, 2009 9:15 AM
To: [REDACTED] b6, b7c
Subject: OP Plan

Here is the op plan for NSGL

[REDACTED] b6, b7c
Senior Special Agent/Operations Manager
ICE-OI-Operations North East
Desk #: 202-732 [REDACTED] b6, b7c
Fax #: 202-732-5874
Blackberry #: 202-520 [REDACTED] b6, b7c
[REDACTED] b6, b7c

b6, b7c

From:

b6, b7c

Sent:

Thursday, March 04, 2010 1:37 PM

To:

b6, b7c

Cc:

Subject:

FW: Cobb County SO_Letter from b6, b7c

Attachments:

287g Letter to FOD from b6, b7c Miranda rights 2010_02_25_12_58_46.pdf

b6, b7c

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, April 10, 2008 12:10 PM
To: [REDACTED] b6, b7c
Subject: FW: Ops Plans - [REDACTED] b7e

FYI

b6, b7c

Acting Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
Immigration and Customs Enforcement
v: 202.616. [REDACTED] b6, b7c
f: 202.514.0455

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-----Original Message-----

From: [REDACTED] b6, b7c
Sent: Monday, April 07, 2008 8:32 PM
To: Ragsdale, Daniel H
Cc: [REDACTED] b6, b7c
Subject: RE: Ops Plans - [REDACTED] b7e

Dan, progress so far, continuing to dig:

AK Summary (PPC LTL RK OPS Plan3 dhr edits (3)).doc: No issue; all of your comments/edits accepted.

Chatanooga OPLAN attachments (PPC CHAT OPS Plan2 dhr edits.doc): Most of your comments/edits accepted. Further, as below.

b5DP

b5DP

-----Original Message-----

From: Ragsdale, Daniel H

Sent: Monday, April 07, 2008 7:36 PM

To: [REDACTED] b6, b7c

Subject: Fw: Ops Plans - Operation Plymouth Rock

Can you take a quick look??

Sent using BlackBerry

----- Original Message -----

From: [REDACTED] b6, b7c

To: Ragsdale, Daniel H

Sent: Mon Apr 07 16:29:49 2008

Subject: Fw: Ops Plans - [REDACTED] b7e

----- Original Message -----

From: [REDACTED] b6, b7c

To: [REDACTED] b6, b7c

Cc: [REDACTED] b6, b7c

Sent: Mon Apr 07 19:13:05 2008

Subject: Ops Plans - [REDACTED] b7e

[REDACTED] b6, b7c - Attached are the PP ops plans with OPLA edits. Sorry for the delay...

b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 4:40 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: FW: Cobb County SO_Letter from [REDACTED] b6, b7c
Attachments: 287g [REDACTED] b6, b7c Response by Cobb 2010_03_02.pdf

FYI

[REDACTED] b6, b7c

Deputy Chief
Enforcement Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Office: 202-732-[REDACTED] b6, b7c
Blackberry: 602-690-[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 4:25 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED]
Subject: FW: Cobb County SO_Letter from [REDACTED] b6, b7c

FYI

From: [REDACTED] b6, b7c
Sent: Thursday, March 04, 2010 4:24 PM
To: [REDACTED] b6, b7c
Cc: Skinner, Felicia S; [REDACTED] b6, b7c
Subject: RE: Cobb County SO_Letter from [REDACTED] b6, b7c

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b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 19, 2009 4:00 PM
To: [REDACTED] b6, b7c
Subject: Fw: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer

Please phone then and run this down.

From: [REDACTED] b6, b7c
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c Ramlogan, Riah
Sent: Thu Mar 19 15:59:25 2009
Subject: Re: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer

[REDACTED] b6, b7c I need an OI POC for ICE interrogation techniques, for a short suspense tasker due to acting AS Torres tomorrow at 2. [REDACTED] b6, b7c is our ELD POC.

From: [REDACTED] b6, b7c
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c Ramlogan, Riah
Sent: Thu Mar 19 15:55:33 2009
Subject: RE: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer
[REDACTED] b6, b7c

I would start with either [REDACTED] b6, b7c in OI Policy or [REDACTED] b6, b7c down in FLETC.

[REDACTED] b6, b7c

From: [REDACTED] b6, b7c
Sent: Thursday, March 19, 2009 2:17 PM
To: [REDACTED] b6, b7c
Cc: [REDACTED] b6, b7c Ramlogan, Riah
Subject: Fw: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer
Importance: High

[REDACTED] b6, b7c next in the queue after Great Lakes MRE 314c. Suggest TJAGLCS for the most recent version of FM. Look at applicability of S, T, and U visas, deferred action, SPBP and EADs.

[REDACTED] b6, b7c is there an OI poc on ICE interrogation techniques for [REDACTED] b6, b7c to work with? Regards prep for AS due tomorrow by 2:

The Department is asking ICE's opinion as to whether there are interrogation practices and techniques outside the Army Field Manual, and outside of "authorized, non-coercive techniques of interrogation" that are necessary for ICE to carry out its mission. (When reviewing, consideration should also be given to issues such as "threats or promises" as well as (for example) offers to plea bargain - and whether they are somehow still authorized to be made under E.O. 13491.)

From: Ramlogan, Riah
To: [REDACTED] b6, b7c

Sent: Thu Mar 19 14:06:06 2009

Subject: FW: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer

b6, b7c - This is an urgent tasking which we also got directly from OGC via b6, b7c Suggest b6, b7c work with our other former JAG folks to review. Note the 2 pm deadline on Friday. Thanks, Riah

From: Ragsdale, Daniel H

Sent: Thursday, March 19, 2009 2:01 PM

To: b6, b7c Ramlogan, Riah

Subject: Fw: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer

Importance: High

Fyi.

Sent using BlackBerry

From: b6, b7c

To: OPStasking

Cc: Senior Management Counsel; b6, b7c Ragsdale, b6, b7c #ICE OI
Tasking

Sent: Thu Mar 19 10:59:41 2009

Subject: Urgent Tasking - Due to OAS Friday March 20th - 2pm - Interrogations & Transfer

This tasking is for OPLA. Please send FYI copies to Policy and OI. There is a quick turnaround time.

Requesting Office: DHS Office of Policy.

It is due to the OAS for Mr. Torres' review no later than Friday, March 20th, 2pm. Submission to the Department is NLT Monday March 23rd, 2pm.

b5DP

b6, b7c

Advisor

Office of the Assistant Secretary

500-12th Street SW

Washington, DC 20536

(202)732-**b6, b7c**



U.S. Immigration
and Customs
Enforcement

~~ATTORNEY-CLIENT/WORK PRODUCT PRIVILEGED COMMUNICATION~~

MEMORANDUM FOR: DAVID KLINE
Director, Office of Immigration Litigation, District Court Section
Department of Justice

THROUGH: PETER S. VINCENT
Principal Legal Advisor

FROM: JOHN T. MORTON
Assistant Secretary

SUBJECT: Request for Department of Justice Representation, b6, b7c

b6, b7c

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

~~ATTORNEY CLIENT/WORK PRODUCT PRIVILEGED COMMUNICATION~~

2012FOIA8229.000949



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December 21, 2007

Rachel K. Paulose
United States Attorney
600 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Attn: AUSA [REDACTED] b6, b7c

Re: ICE Litigation Report, [REDACTED] b6, b7c et al. v. DHS et al. [REDACTED] b6, b7c District
of Minnesota

Dear Ms. Paulose:

[REDACTED]

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

INDEX TO TABS

<u>Tab #</u>	<u>Description</u>
1	DRAFT Headquarters Enforcement Operational Plan [LAW ENFORCEMENT SENSITIVE]
2	SAC St. Paul Enforcement Operational Plan, Swift Worthington Plant [LAW ENFORCEMENT SENSITIVE]
3	Application for Warrant for Entry on Premises to Search for Aliens who are in the Untied States without Legal Authority, dated 12/07/06; Affidavit of Thomas M. Boyle, dated 12/08/06; and Order, Civil No. 06mj457JSM, dated 12/08/06
4	Reports of Investigation (ROI) Case No. [REDACTED] b7e Nos. 1-34 [LAW ENFORCEMENT SENSITIVE]
5	I-213, Record of Deportable/Inadmissible Aliens ([REDACTED] b6, b7c [REDACTED] b6, b7c
6	I-213, Record of Deportable/Inadmissible Aliens [REDACTED] b6, b7c [REDACTED] b6, b7c
7	I-213, Record of Deportable/Inadmissible Aliens [REDACTED] b6, b7c [REDACTED] b6, b7c
8	I-213, Record of Deportable/Inadmissible Aliens [REDACTED] b6, b7c [REDACTED] b6, b7c
9	I-213, Record of Deportable/Inadmissible Aliens [REDACTED] b6, b7c [REDACTED] b6, b7c
10	I-213, Record of Deportable/Inadmissible Aliens [REDACTED] b6, b7c [REDACTED] b6, b7c



U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR: John T. Morton
Director, U.S. Immigration and Customs Enforcement

THROUGH: [REDACTED] b6, b7c
Office of the Chief Information Officer

FROM: [REDACTED] b6, b7c
Chief, Tort Litigation Section

SUBJECT: NOTICE TO PRESERVE DOCUMENTS AND
ELECTRONICALLY STORED INFORMATION

I am the Chief of the Office of the Principal Legal Advisor Tort Litigation Section. My section will be representing ICE in [REDACTED] b6, b7c v. *Morton et al.*, [REDACTED] b6, b7c (N.D.Ga. filed 10/08/10). This lawsuit stems from plaintiffs' interactions with law enforcement officials from the State of Georgia and Cobb County pursuant to INA § 287(g) agreements between ICE and State of Georgia and Cobb County, Georgia.

Please read this notice very carefully and after reviewing, if you have questions, please address them to me at (202) 732-[REDACTED] b6, b7c. Once your questions are resolved, please advise OPLA whether there are other ICE employees who you believe may have documents subject to this notice.

The Federal Rules of Civil Procedure and federal court precedent require ICE to preserve all information or evidence about this matter in the event of litigation. During the course of this lawsuit, the plaintiffs may use the discovery process to obtain ICE records and other information related to these allegations.

Until all potential litigation is resolved, ICE employees must preserve all data related to this incident, including information stored in hard copy, on computer systems, on removable or portable electronic storage media, and on your personal computer, if used to create ICE records. All records, electronically stored data, including e-mails and other electronic communication, word processing documents, spreadsheets, databases, calendars, telephone logs, internet usage files, network access information, and other kinds of media, must be retained. In addition, employees must retain non-electronic documents and evidence in whatever form, including personal or desk files, calendars, notes, correspondence, policies, manuals, or other things relevant to the case. Data destruction and back-up tape recycling policies must be discontinued until the matter is resolved.

SUBJECT: NOTICE TO PRESERVE DOCUMENTS AND
ELECTRONICALLY STORED INFORMATION

Page 2

Failure to preserve and retain information may result in sanctions against ICE. Consequently, if you are unsure whether certain information should be preserved, err on the side of caution and preserve the information until you have spoken to me about it.

It is also recommended that you to document the specific actions your office takes in response to this memorandum.

b6, b7c, b5AC/AWP

b6, b7c, b5AC/AWP

b6, b7c, b5AC/DP/AWP

b6, b7c, b5AC/DP/AWP

REQUESTED BY: [REDACTED] b6, b7c

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DEPARTMENT OF HOMELAND SECURITY ICE		TECS ACCESS CODE [REDACTED] b7e	
R E P O R T O F I N V E S T I G A T I O N		PAGE 1	
		CASE NUMBER [REDACTED] b7e	
TITLE: COLLATERAL - SWIFT			
CASE STATUS: INTERIM RPT			
REPORT DATE 122806	DATE ASSIGNED 073106	PROGRAM CODE [REDACTED] b7e	REPORT NO. 014
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: SEARCH WARRANT REPORT // INVESTIGATIVE FINDINGS			
TOPIC: EXECUTION OF CIVIL SEARCH WARRANT ON SWIFT & CO - WORTHINGTON, MN.			

SYNOPSIS:

The investigation was predicated upon the request of the RAC/Des Moines to the SAC/St. Paul to conduct an I-9 Employee Verification audit on the Swift Plant, in Worthington, Minnesota. The RAC/Des Moines has initiated a worksite enforcement case on Swift and Company. A Swift and Company plant is located in Worthington, which is in the AOR of SAC/St. Paul.

On December 12, 2006, ICE agents executed a Civil Search Warrant on Swift and Company at Worthington, Minnesota. The purpose of the search warrant was to interview employees at the plant and determine if they were present in the U.S. in violation of U.S. immigration laws. ICE agents arrested 230 illegal aliens and transported them to designated locations for processing.

DISTRIBUTION: SACMS RACDQ	SIGNATURE: [REDACTED] b6, b7c		SPECIAL AGENT
	APPROVED: [REDACTED] b6, b7c		OI GRP SUPERVISOR
	ORIGIN OFFICE: MS SAINT PAUL, MN - SAC	TELEPHONE: 952 853	[REDACTED] b6, b7c
		TYPIST: [REDACTED] b6, b7c	

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DEPARTMENT OF HOMELAND SECURITY
ICE

PAGE 2

REPORT OF INVESTIGATION
CONTINUATION

CASE NUMBER [REDACTED] b7e

REPORT NUMBER: 014

CASE PROGRAM CODES:

[REDACTED] b7e

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DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 3
R E P O R T O F I N V E S T I G A T I O N C O N T I N U A T I O N	CASE NUMBER [REDACTED] b7e
	REPORT NUMBER: 014

DETAILS OF INVESTIGATION:

On December 12, 2006, at 7:35 a. m., SA [REDACTED] b6, b7c, SA [REDACTED] b6, b7c SA [REDACTED] b6, b7c and SA [REDACTED] b6, b7c served a Civil Search Warrant on [REDACTED] b6, b7c Vice President & General Manager, Sift & Company, Worthington, Minnesota. [REDACTED] b6, b7c was asked for his cooperation in the execution of the search warrant and in the process to interview all employees of Swift.

[REDACTED] b6, b7c agreed to shut down the processing line and ask employees to proceed to the cafeteria in order to be interviewed by ICE agents. [REDACTED] b6, b7c gave direction to his management team and complied with ICE agents' requests during the operation.

During the next nine hours, all employees that were brought to the cafeteria by Swift management were interviewed. As a result of the interviews, ICE took 230 employees into custody for violation of U.S. immigration laws. Several employees were issued and served a Notice to Appear at the plant. These employees were then released from the plant to the street for family/humanitarian issues.

The remaining employees were taken to Sioux Falls, South Dakota or Camp Dodge, Iowa for processing. Any aliens from El Salvador were taken to Sioux Falls for removal processing and EOIR proceedings within the jurisdiction of the Bloomington immigration court. All others were taken to Camp Dodge for removal processing.

On December 13, 2006 to December 15, 2006, all 230 aliens were processed for removal from the U.S. If during processing, an alien was identified as meeting the criminal prosecution guidelines, the alien was turned over to the prosecution team.

Twenty five of the 230 were processed for possible federal prosecution. These aliens were considered for prosecution of the following offenses:

- 8 USC 1326 Reentry after Deportation
- 18 USC 1028A- Aggravated Identity Theft
- 18 USC 1546- Fraud and Misuse of Visas, permits and other documents

These twenty-five aliens were transported to Minneapolis area for consideration by the United States Attorneys' office for prosecution.

On December 15, 2006, Assistant U.S. Attorneys' Nate Petterson and James Lackner met with Special Agent Thomas Boyle for presentation of the prosecutions. The USA office accepted twenty of the twenty-five for prosecution and arranged Federal Grand Jury time on Monday December 18th.

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DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 4
R E P O R T O F I N V E S T I G A T I O N C O N T I N U A T I O N	CASE NUMBER [REDACTED] b7e
	REPORT NUMBER: 014

INVESTIGATION CONTINUES

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 1
[REDACTED] b7e

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 2
[REDACTED] b7e

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED] b6, b7c	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
NO NON-SUSPECT, OTHER				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
NO NON-SUSPECT, OTHER				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
NO NON-SUSPECT, OTHER				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
NO NON-SUSPECT, OTHER				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED] b6, b7c	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 4
TN007066

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS BOYLE T 122806

SA	SUSPECT, ALIEN			
[REDACTED] b7e	[REDACTED] b6, b7c		W F	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W F	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W F	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		U M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		U F	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		U M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		W M	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c		U M	SUB-SOURCE

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TECS II - LIST OF RELATED RECORDS

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS b6, b7c T 122806

b7e

b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	U M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	U M
b7e	SUSPECT, ALIEN	U F
b7e	SUSPECT, ALIEN	U M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	W F
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	W M
b7e	SUSPECT, ALIEN	U F
b7e	SUSPECT, ALIEN	U F
b7e	SUSPECT, ALIEN	U F

b6, b7c

SUB-SOURCE
SUB-SOURCE
SUB-SOURCE
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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 6
[REDACTED] b7e

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
SA SUSPECT, ALIEN				

[REDACTED] b6, b7c

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE

[REDACTED] b6, b7c

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 8
[REDACTED] b7e

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED] b6, b7c	SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F		SUB-SOURCE
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	W M	SUB-SOURCE	
SA SUSPECT, ALIEN				
[REDACTED] b7e	[REDACTED] b6, b7c	U F	SUB-SOURCE	
SA SUSPECT, ALIEN				

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REQUESTED BY: [REDACTED] b6, b7c

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TECS II - LIST OF RELATED RECORDS

PAGE 9
[REDACTED] b7e

142 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b7e T 122806

[REDACTED] b7e	[REDACTED] b7e	W M	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	W M	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	W M	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	W M	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U F	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	W M	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U	[REDACTED] b6, b7c
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	U	[REDACTED]
SA	SUSPECT, ALIEN		SUB-SOURCE
[REDACTED] b7e	[REDACTED] b7e	W	[REDACTED]
SC	SUBJECT OF CURRENT INVESTIGATION		SUB-SOURCE
[REDACTED] b7e	SWIFT AND COMPANY-WORTHINGTON		[REDACTED]
SC	SUBJECT OF CURRENT INVESTIGATION		SUB-SOURCE
[REDACTED] b7e	CASE CMS [REDACTED] b7e	T 073106	
COLLATERAL	- SWIFT		

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REQUESTED BY:

b6, b7c

~~OFFICIAL USE ONLY~~

DEPARTMENT OF HOMELAND SECURITY ICE		TECS ACCESS CODE b7e	
R E P O R T O F I N V E S T I G A T I O N		PAGE 1	
		CASE NUMBER b7e	
TITLE: COLLATERAL - SWIFT			
CASE STATUS: INTERIM RPT			
REPORT DATE 122806	DATE ASSIGNED 073106	PROGRAM CODE b7e	REPORT NO. 015
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: INVESTIGATIVE FINDINGS			
TOPIC: INDICTMENTS OF TWENTY SUBJECTS AS A RESULT OF OPERATION WAGON TRAIN			

SYNOPSIS:

The investigation was predicated upon the request of the RAC/Des Moines to the SAC/St. Paul to conduct an I-9 Employee Verification audit on the Swift Plant, in Worthington, Minnesota. The RAC/Des Moines has initiated a worksite enforcement case on Swift and Company. A Swift and Company plant is located in Worthington, which is in the AOR of SAC/St. Paul.

On December 18, 2006, Special Agent b6, b7c testified in front of the Federal Grand Jury in Minneapolis, Minnesota. The Grand Jury returned true bills on twenty defendants as a result of Operation Wagon Train.

DISTRIBUTION: SACMS RACDQ	SIGNATURE: b6, b7c	SPECIAL AGENT
	APPROVED: b6, b7c	OI GRP SUPERVISOR
	ORIGIN OFFICE: MS SAINT PAUL, MN - SAC	TELEPHONE: 952 853 b6, b7c
		TYPIST: b6, b7c

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DEPARTMENT OF HOMELAND SECURITY
ICE

PAGE 2

R E P O R T O F I N V E S T I G A T I O N
C O N T I N U A T I O N

CASE NUMBER [REDACTED] b7e

REPORT NUMBER: 015

CASE PROGRAM CODES:

[REDACTED] b7e

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DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 3
REPORT OF INVESTIGATION CONTINUATION	CASE NUMBER [REDACTED] b7e
	REPORT NUMBER: 015

DETAILS OF INVESTIGATION:

On December 18, 2006, Special Agent [REDACTED] b6, b7c testified in front of the Federal Grand Jury in Minneapolis, Minnesota. Assistant United States Attorneys Nate Petterson and James Lackner are assigned to this case.

The following subjects were presented to the Grand Jury for violations of Title 18 United States Code 1028(a)(1)-Aggravated Identity Theft; Title 18 United States Code 1546(a); Title 18 United States Code 1526(b)(1):

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED] b6, b7c
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]

The following subjects were presented to the Grand Jury for violations of Title 18 United States Code 1546(a) and Title 18 United States Code 1526(b)(1):

1. [REDACTED]
2. [REDACTED]
3. [REDACTED] b6, b7c
4. [REDACTED]
5. [REDACTED]

The following subject was presented to the Grand Jury for violations of Title 8 United States Code 1326(a)-Reentry After Deportation:

1. [REDACTED] b6, b7c

The Grand Jury returned true bills on the above defendants and all twenty made their initial appearance on December 19, 2006. All defendants were turned over to the U.S. Marshall's Office with active ICE detainers.
INVESTIGATION CONTINUES

REQUESTED BY: [REDACTED] b6, b7c

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100807

TECS II - LIST OF RELATED RECORDS

PAGE 1
[REDACTED] b7e

22 RECORDS ARE RELATED TO BASE RECORD
ROI CMS [REDACTED] b6, b7c T 122806

[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED] b6, b7c	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W F	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	A W M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	U M	[REDACTED]	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	E U M	041085	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	031081	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	O W M	040184	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	O U	091283	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	W M	072575	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	A U	030777	SUB-SOURCE
[REDACTED] b7e	[REDACTED] b6, b7c	A U	020274	SUB-SOURCE

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REQUESTED BY: [REDACTED] b6, b7c

~~OFFICIAL USE ONLY~~ -- TECS II INFORMATION -- ~~OFFICIAL USE ONLY~~

100807

TECS II - LIST OF RELATED RECORDS

PAGE 2
[REDACTED] b7e

22 RECORDS ARE RELATED TO BASE RECORD
ROI CMS BOYLE T 122806

[REDACTED] b7e

[REDACTED] b7e

[REDACTED] b6, b7c

A U

SA SUSPECT, ALIEN

[REDACTED] b6, b7c

SUB-SOURCE

[REDACTED] b7e

[REDACTED] b6, b7c

U

SA SUSPECT, ALIEN

SUB-SOURCE

[REDACTED] b7e

[REDACTED] b6, b7c

R U

SA SUSPECT, ALIEN

SUB-SOURCE

[REDACTED] b7e

[REDACTED] b6, b7c

W

SC SUBJECT OF CURRENT INVESTIGATION

SUB-SOURCE

[REDACTED] b7e

SWIFT AND COMPANY-WORTHINGTON
SC SUBJECT OF CURRENT INVESTIGATION

SUB-SOURCE

[REDACTED] b7e

CASE CMS [REDACTED] b6, b7c

T 073106

COLLATERAL - SWIFT

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U.S. Immigration and Customs Enforcement

b6, b7c

ENFORCEMENT OPERATION PLAN

ICE Office: SAC St. Paul

Case Number: [redacted] b7e

Case Agent: [redacted] b6, b7c

Contact Number(s): (612) 290-[redacted] b6, b7c

ICE Supervisor: [redacted] b6, b7c

Contact Number(s): (612) 290-[redacted] b6, b7c

Title 21 Investigation: Yes (IF YES DEA NOTIFICATION PAGES MUST BE COMPLETED)

No

OPERATION TYPE: Controlled Delivery Search Warrant Execution

Arrest Warrant Execution Flashroll

Surveillance U/C Meeting Other- Blackies Civil Search Warrant

Violations/Charges:

- 8 USC 1357 Aliens present in the U.S. in violation of law

Date/Time of Operation: 12/12/2006 0730 CST

Location of Operation: 1700 Highway 60 NE, Worthington, MN 56187

Briefing Location: Sioux Falls National Guard Armory (12/10/2006 @ 1000 hours)

0500 801 W National Guard Drive

Staging Location: 1. ~~0600~~ hrs - Sioux Falls National Guard Armory

45 Min Travel time from Armory to Highway 90 at Exit 42

Staging Location: 2 Exit 42 Interstate 90-South of I-90

Berman / Drivers

Target Location Address: 1700 Highway 60 NE, Worthington, MN 56187

Type of Premises: Warehouse/Distribution Meat Facility

Description of Premises: Meat Processing Plant-Concrete building with numerous of loading docks and garage doors. Two separate employee parking lots.

Conveyance Type: Personal vehicles parked in the plant compound.

Type/Quantity of Contraband Involved: Fraudulent and genuine identity documents

Name Of AUSA Assigned: [redacted] b6, b7c Office: District of Minnesota

Telephone Number: (612) 664- [redacted] b6, b7c Pager Number: N/A

Summary of Investigation:

The SAC St. Paul received a collateral request from the RAC Des Moines to initiate a worksite investigation of the Swift and Company (SWIFT) meat processing plant in Worthington, Minnesota. An Employment Eligibility Verification Form (Form I-9) audit was conducted, which identified 840 SWIFT employees who may have gained employment unlawfully.

Operational Objectives:

- To locate and apprehend all unauthorized workers.

Suspect Information (attach additional info. if more than one suspect):

Name of Suspect: Numerous apprehensions Date of Birth (DOB): _____

Address of Suspect: _____

Physical Description: _____

Vehicle(s): Vehicles parked on-site may exceed 500

History of Violence or Weapons: Unknown – See attached list of possible hazards

Prior Criminal History: Unknown

US Citizen ___ or Non-US Citizen ___

Immigration Status and A-Number (if known) _____

Other Pertinent Information: _____

Photo Available Yes ___ No

UNDERCOVER AGENT (attach additional info. If more than one U/C): N/A

Is U/C: ___ CI ___ Cooperating Defendant ___ ICE Agent
___ Other L.E. ___ Other: _____

Name of U/C: _____

Physical Description: _____

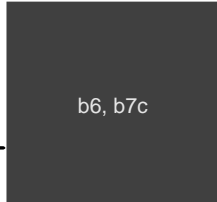
Pager/ Cellular Phone Numbers: _____

U/C Vehicle: _____

Distress Code: Audio: _____ Visual: _____

Arrest Signal: Audio: _____ Visual: _____

Radio Channels: Primary: [b7e] SRT: [b7e] Perimeter: _____



Mobile Phone Numbers: Command Post (to be determined)

Case Agent [b6, b7c] (612) 290- [b6, b7c]

Group Supervisor [b6, b7c] (612) 290- [b6, b7c]

*RADIO
CHECKS*

Sector Phone Number: 1-800-973- [b6, b7c]

Local Police Notified? ___ Yes X No Name of P.D.: Worthington PD
Phone (507) 372- [b7e]

P.D. Location: Prairie Justice Center 1530 Airport Rd. PO Box 279 Worthington, MN

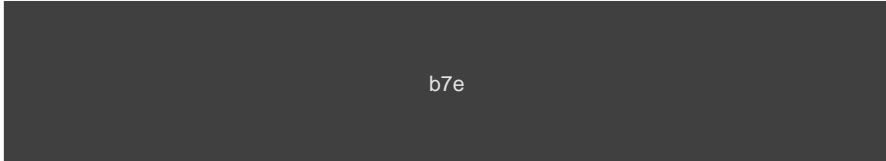
Air Support To Be Utilized: X Yes ___ No Type Of Aircraft: CBP Air Ops

Air Support Instructions: During the operation, communicate any observed potential safety hazards and/or fleeing employees from the plant. Communication will be via ICE radio to agents on the ground.

Nearest Hospital: Worthington Regional Hospital, 1018 6th Ave, Worthington, MN 56187 (507) 372-2941

PERSONNEL ASSIGNMENTS: SEE ATTACHMENTS PAGES 7-19

Assignment Codes:



b7e

Name:

Call Sign:

Assignments:

1) *****SEE ATTACHED SHEETS 7-18*****

Prisoner Processing Location: Initial processing to begin in employee cafeteria of Swift & Company (wristbands); employees determined to be processed further are to be transported to Camp Dodge in Johnston, Iowa. Employees determined to be El Salvadoran or possible OR's will be transported to RAC Sioux Falls for processing. See Attached Sheet for processing details.

Evidence to Be Transported:

Personnel and payroll records/files, file cabinets, computers, and fraudulent identification documents and to be secured in rental truck driven by ICE personnel.

Equipment Required:

- Hard hats
- Masks
- Safety glasses
- Rubber gloves (sizes M-XL)
- Colored writable wristbands (green, red, blue, yellow)
- Ultra-fine point, quick-dry, sharpie markers
- Breach kit
- Mobile IDENT/Enforce machines
- Flexi-cuffs
- Flexi-cuff cutters
- Cots with blankets and pillows
- Portable toilets
- Meals
- Property bags with tags
- Evidence bags
- Space heaters

Attire:

- Normal rough duty that is DHS/ICE identifiable
- Ballistic Vests
- Side arms
- Kevlar gloves (if available)
- Hard hats
- Safety glasses

- Raid jackets
- Flashlights
- Radios / Nextels
- OC Spray

Hazards:

- Heavy machinery
- Possible cutting materials / edged weapons (saws, knives)
- Slippery floors
- Moving conveyers
- Strong odors
- Live animals
- High/suspended walkways
- Numerous hiding places for absconders
- Large ventilation systems
- Large mobile transportation vehicles
- Railroad activity
- Flammable/Combustible materials

Report Assignments: Name: _____ **Assignment:**
SWIFT Plant - Provide status of the execution of the search warrant and triage processing
Processing location - Provide status of alien processing and detention dispositions.

****Updates will be provided to HQ reporting personnel every three hours****
 HQ IOC (202) 343- [b7e] office (202) 514-7710 fax [b7e] email

Additional Information:
 See attachment (pages 7-19)

Approval(s): (if Required)

Signature/Title

Signature/Title

cc: Case File
DEA (if applicable)
Title 21 Operation Plan Log (if applicable)

TEAMS AND ASSIGNMENTS

645Am

Team #1 – Secure Guard Gate/ Parking lot
PHASE I & II

[Redacted]

b7e

Team #2 – Contact Plant Management/Execute Warrant
PHASE I

[Redacted]

b7e

PHASE II

[Redacted]

b7e

[Redacted]

b7e

PHASE II

[Redacted]

b7e

[Redacted]

b7e

PHASE II

[Redacted]

b7e

b7e

b7e

PHASE II

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PHASE II

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PHASE II

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PHASE II

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b7e

b7e

PHASE II

b7e

b6, b7c, b7e

b6, b7c

b6, b7c

b6, b7c, b7e

b6, b7c, b7e

Control (Southbound)

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

Deleted

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

b6, b7c, b7e

PHASE I

I. PRE-EXECUTION STAGING AREA



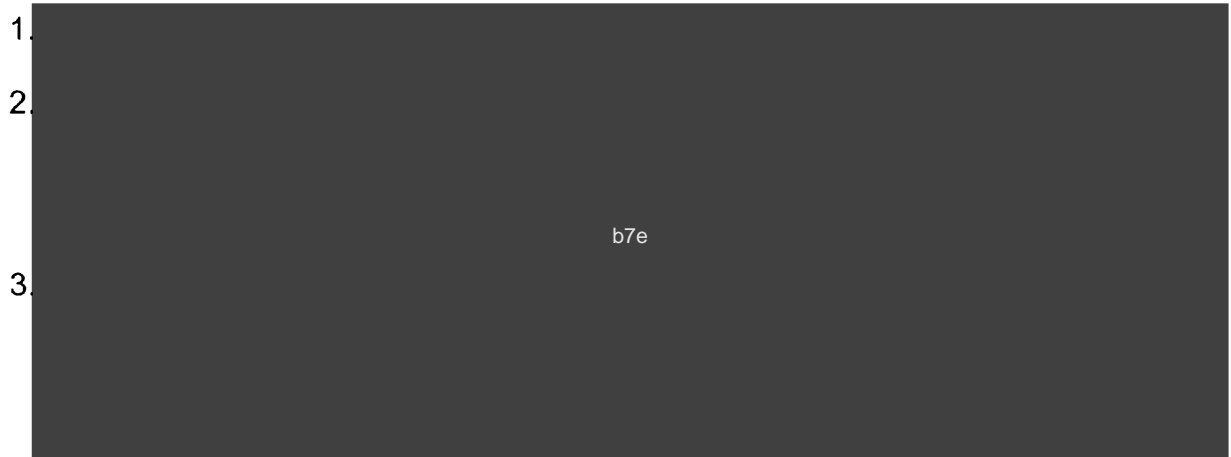
b6, b7c

II. SETTING UP THE PERIMETER



PHASE II

III. INTERVIEWING AND ARRESTS



4.

b7e

5.

IV. MOVEMENT OF EMPLOYEES FROM PRODUCTION AREAS TO ON-SITE DETENTION

1.

2.

3.

4.

5.

b7e

100

b7e

V. SWEEP OF FACILITY

1.

b7e

VI. Final Departure from the Plant

1.

2.

3.

b7e

PHASE III

At the completion of the operation all agents will return to the National Guard Armory in Sioux Falls for debriefing. After debrief agents will be dismissed to travel to their assigned processing site.

!!!!IMPORTANT TELEPHONE NUMBERS!!!!

b6, b7c

SAC/St. Paul, PAO: (952) 250-b6, b7c

NATIONAL FAMILY MEMBER HOTLINE: 1-866-341-3858

OPERATION WAGON TRAIN: Field Interview Card

Swift Plant location: Worthington, MN Date _____

Bracelet number _____ Alien #(if assigned) _____

Alien's Last Name (Last, First) _____

DOB: _____ COC: _____

Juvenile? Y N Accompanied? Y N

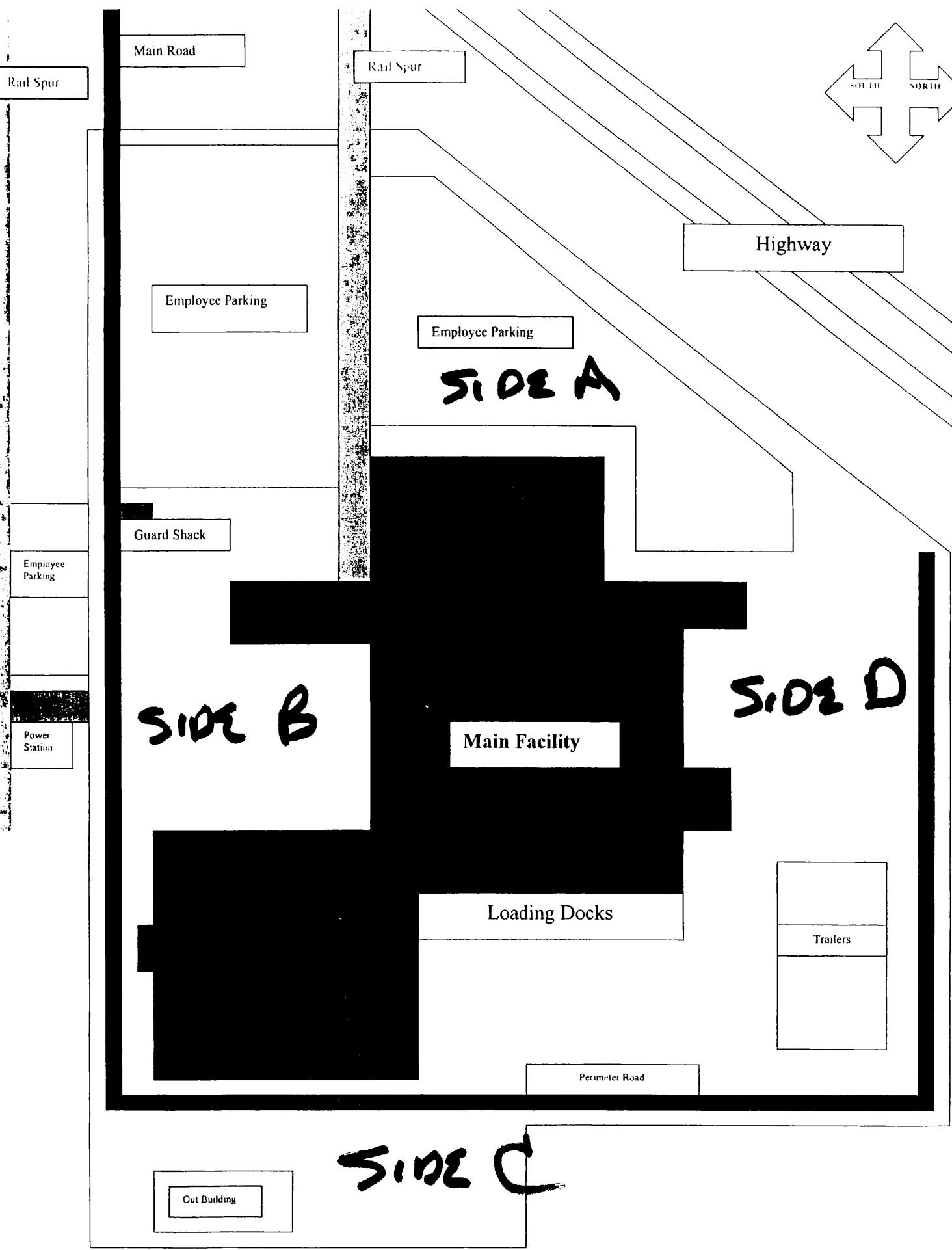
Arresting Agent _____

Processing Location (circle one): Camp Dodge, IA Sioux Falls, SD

Processing Disposition (circle one): O/R V/R NTA/Detain NTA/Release

Comments _____

Instructions: Insert this sheet and Polaroid photo of detainee in property bag.
Make sure both can be seen through the bag.





Start **1201 W Algonquin St**
Sioux Falls, SD 57104
End **CR-35 & Jones Ave**
Rushmore, MN 56168
Travel **50.9 mi (about 54 mins)**

Directions

1. Head **southeast** from **W Algonquin St**
- ← 2. Turn **left** at **N Minnesota Ave**
- 3. Turn **right** at **E 60th St N**
- ← 4. Turn **left** at **N Cliff Ave**
- 5. Turn **right** into the **I-90 E** entry ramp to **Luverne**
6. Take the **CR-13 exit 33** to **Wilmont/Rushmore**
- 7. Turn **right** at **Jones Ave**
8. Arrive at **CR-35 & Jones Ave**
Rushmore, MN 56168

These directions are for planning purposes only. You may find that construction projects, traffic, or other events may cause road conditions to differ from the map results.

Map data ©2006 NAVTEQ™

Overview

0.6 mi	1 min
2.3 mi	4 mins
0.9 mi	1 min
0.2 mi	
46.3 mi	37 mins

Start

0.2 mi
0.4 mi

End

Map data ©2006 NAVTEQ™



Start **CR-35 & Jones Ave**
Rushmore, MN 56168
End **1700 Highway 60 NE**
Worthington, MN 56187
Travel **11.8 mi (about 13 mins)**

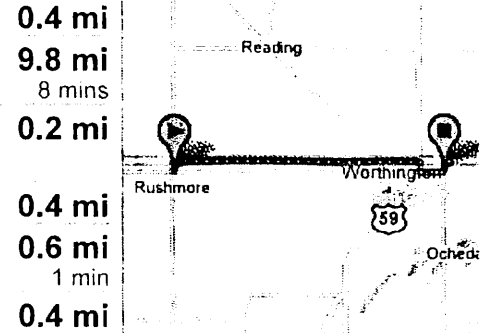
Directions

1. Head **north** from **Jones Ave**
- ➔ 2. Turn **right** into the **I-90 E** entry ramp
3. Take the **US-59** exit **43** to **Slayton/Worthington**
- ➔ 4. Turn **right** at **US-59**
- ⬅ 5. Turn **left** at **Oxford St**
6. Continue on **MN-60 E**
7. Arrive at **1700 Highway 60 NE**
Worthington, MN 56187

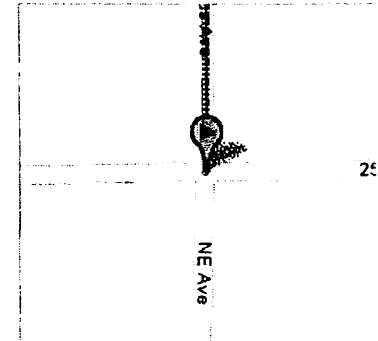
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Map data ©2006 NAVTEQ™

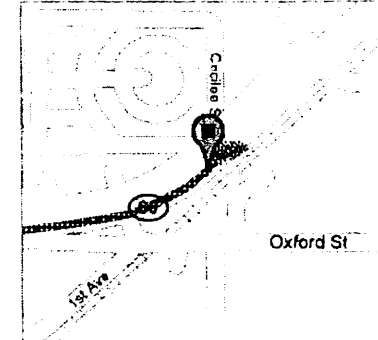
Overview



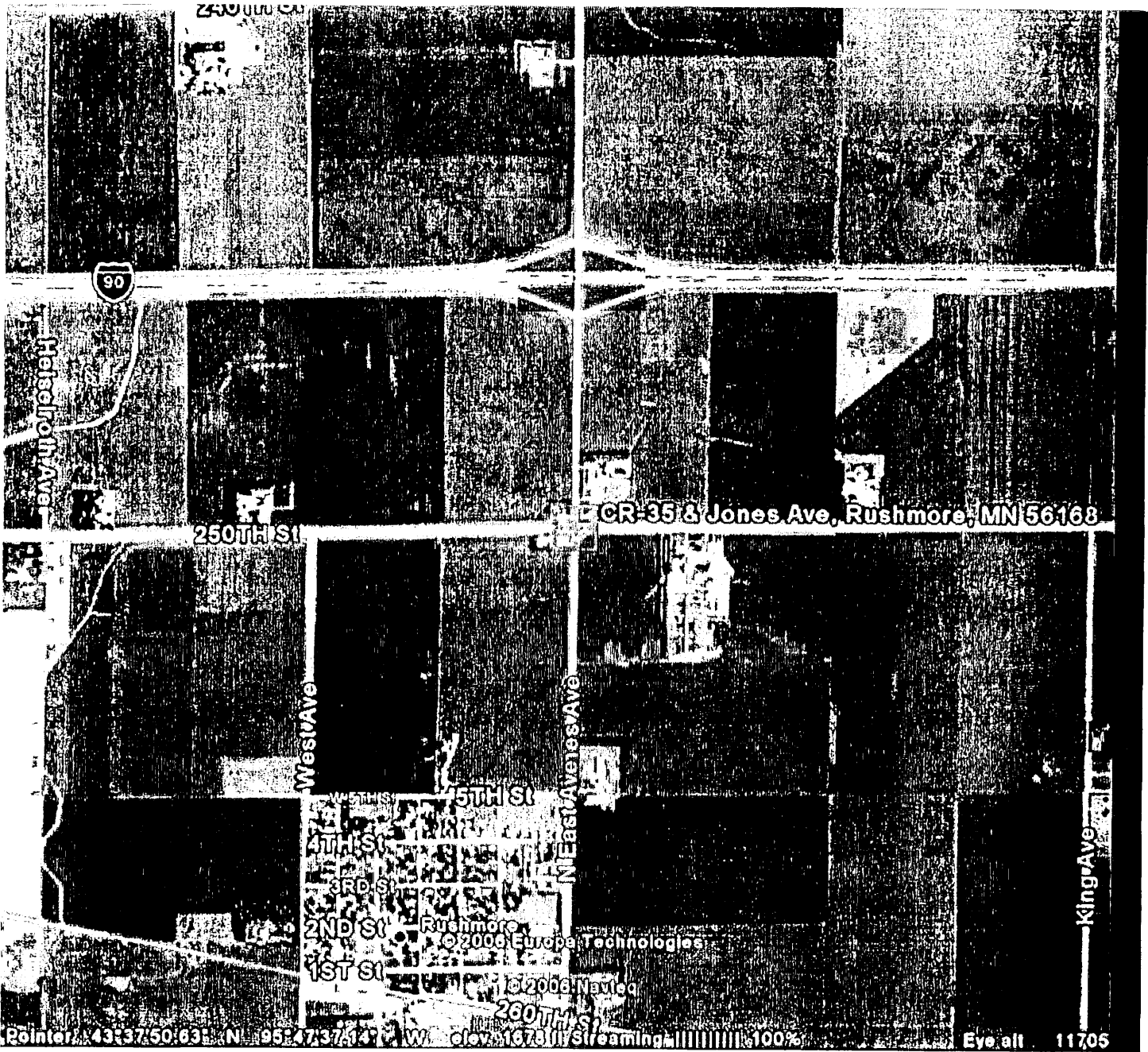
Start

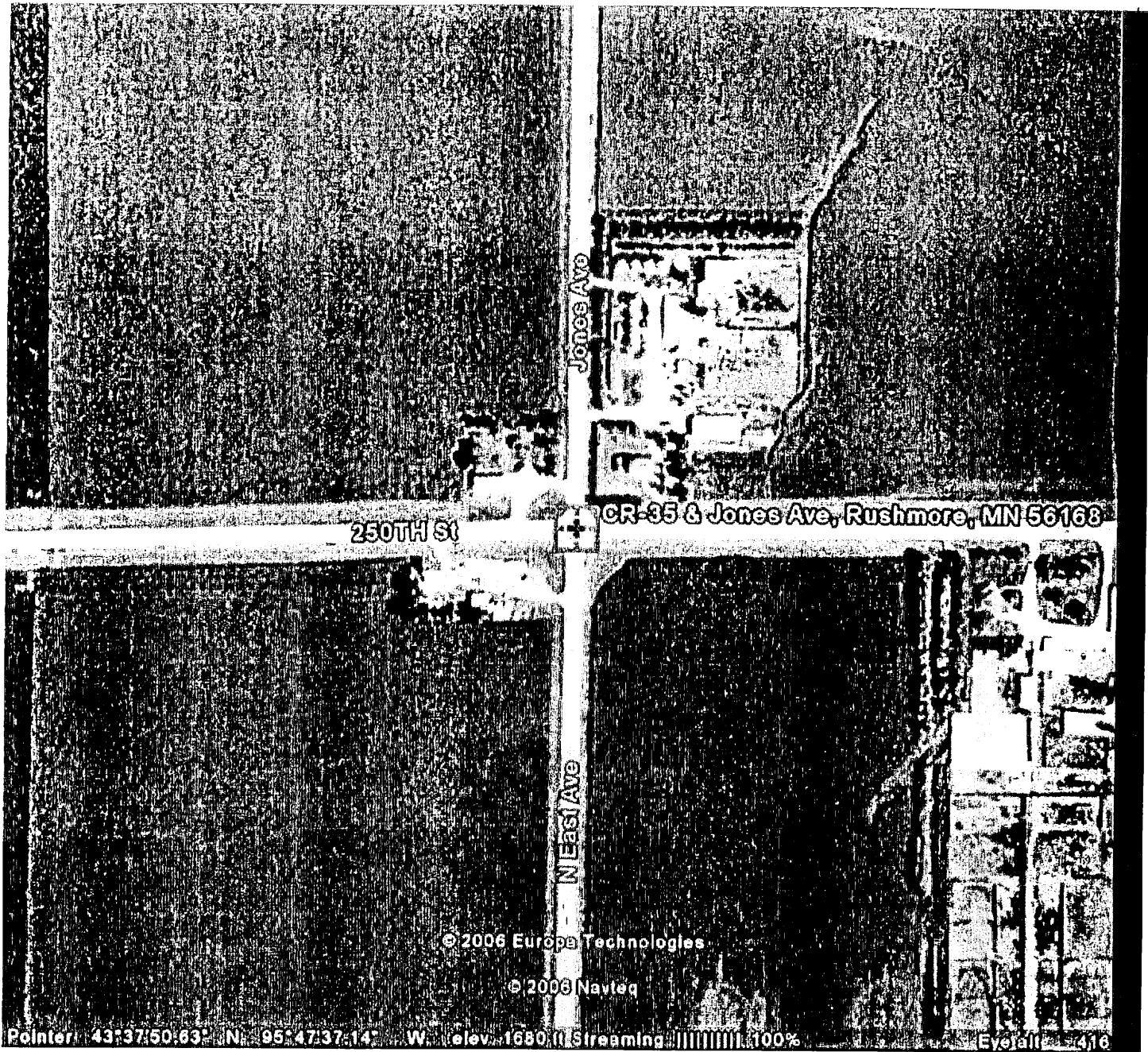


End



Map data ©2006 NAVTEQ™





**Guidelines For The Identification, Arrest And Processing Of Aliens
In Connection with Operation Wagon Train**

Identification of Illegal Aliens at the Swift Plants

In all of the targeted locations, ICE agents will be using civil search warrants, known as *Blackie's Warrants*, in order to gain entry onto the premises of Swift and Company. Prior to the service of this warrant upon Swift management personnel, ICE agents and officers, wearing clearly marked ICE raid jackets and gear, will secure each arrest location by establishing a perimeter outside of the plant in order to identify any individuals attempting to avoid detection by ICE officers. However, ICE agents should be mindful that they are NOT to block doorways or gates into or out of the plant. In addition, agents may not restrict the movement of employees attempting to enter or leave the plant absent reasonable suspicion that the employee is an undocumented alien. A small team of ICE agents will then make contact with plant management personnel, advise them of the warrant, and request that plant management conduct a phased shutdown of the killing and production line of the plant for officer safety reasons, the safety of any Swift employees, and to minimize damage and contamination of Swift's products. ICE agents will then ask plant management to request that all employees proceed to a centralized location, such as the employee cafeteria, within the plant, so that the employees do not have access to knives they use in their work or other potential weapons that could endanger officers. If the workers are working in a part of the plant that would not pose officer safety concerns or risk contamination or damage to Swift's product, then those workers can continue do their work, if Swift management concurs. Once the plant is deemed safe and the production line is temporarily shut down, agents will conduct a security sweep of the common areas of the plant (ie. Cafeteria, front offices, etc.), and will begin the interview process of each employee in order to determine the identity, citizenship and immigration status of each Swift employee. If management does not cooperate in shutting down the production line and moving employees into a centralized location, then employees will need to be questioned at their work stations. Questions to be asked of each employee at this time will include name, date of birth, country of nationality, country of citizenship, immigration status and any other biographical data deemed necessary to establish that the employee is an alien who may be subject to removal from the United States. In addition, all agents entering the processing floor of the plant will be provided with the appropriate safety gear as recommended by the U.S. Department of Agriculture – Food Safety and Inspection Service, for officer safety purposes and to minimize the risk of contamination of food products inside the plant.

Aliens Encountered Inside the Plant Location:

While the aliens are in the plant or in the cafeteria, they should be free to move about the plant and to enter and leave the rooms. All questioning is consensual. It is acceptable to post agents at the entrances and exits to question employees as they enter or leave the plant or cafeteria.

Moving systematically through the cafeteria (or the plant if the employees are not in a centralized location), agents should approach employees and, after identifying themselves, asked the employees from one to three questions relating to their citizenship. If the employee gives a credible reply that he is a United States citizen, the questioning should end, and the agent should move on to another employee. If the employee gives an unsatisfactory response or admits that he is an alien, the employee should be asked to produce his immigration papers. If an employee refuses to speak to the Special Agent, absent reasonable suspicion that the person was unlawfully present or unauthorized to work in the United States, the individual may not be detained and must be permitted to leave the facility. However, keep in mind that **with reasonable suspicion** a brief detention is justified while you are investigating identity and immigration status.

Again, the Special Agent may briefly question an individual, including US citizens and lawful permanent residents for a reasonable period of time. What will be considered "reasonable" will be determined on a case-by-case basis. However, a Special Agent should not detain individuals who have produced what appear to be valid documents evidencing that the person is whom he/she claims to be and is lawfully present and authorized to work in the United States.

ICE agents will question each employee as to his/her identity, citizenship and immigration status within the United States (biographical data). *Miranda* warnings need not be issued at that time. Employees found to be authorized to reside and work in the U.S. will be asked to return to their work stations. Those employees who are found to be unlawfully within the U.S. will be further interviewed and separated according to the standardized Processing and Disposition Guidelines developed for this enforcement action.

If an employee is unresponsive to these questions, refuses to report to the cafeteria, and/or attempts to leave the interview area prior to providing the requested information, ICE agents must have reasonable suspicion that the employee is an undocumented alien to further detain that employee for questioning. If an ICE agent has reasonable suspicion such that the agent further detains an employee for questioning stemming from an employee's unresponsiveness, refusal to report, or attempts to leave, any additional questioning must be preceded by *Miranda* warnings. In addition, if an ICE agent has reasonable suspicion that the identity information provided by an employee is inaccurate and does not pertain to that employee (which may be indicative of violations of Title 18 USC 1028A relating to Aggravated Identity Theft), the ICE agent should administer *Miranda* warnings prior to further questioning as to the employee's true identity. Standard ICE-approved *Miranda* warning and waiver forms (in English and in Spanish) will be used in these instances and will be made available to all participating agents prior to this operation. Personnel from the ICE Law Enforcement Support Center (LESC) will also be available telephonically to conduct computer indices checks, to include TECS, NCIC and other DHS indices, for all agents in the field.

Agents will complete a Field Interrogation card (FI card) containing the basic biographical data for each arrested employee and will place a color-coded ID bracelet on his/her wrist. This bracelet will identify the arrest location of the subject and will correspond to a numbered property bag into which the alien's personal property will be placed. In addition, each alien will be given the opportunity to voluntarily retrieve his/her personal property from his/her assigned locker inside the plant. This property will also be placed into the corresponding property bag for each employee. Should the ICE agent discover identity documents inside the locker which conflict with the stated identity of the alien, or which appear to be fraudulent or fraudulently obtained, the arresting agent will be required to issue *Miranda* warnings to the alien (if he/she has not already done so) prior to questioning the alien regarding these documents.

Upon completion of the FI card and the retrieval of the alien's personal property, ICE agents will make a preliminary administrative custody determination according to the established alien processing guidelines. These decisions will determine whether an arrested alien is to be detained in ICE custody, released on his/her own recognizance for humanitarian reasons, or is amenable to voluntary removal from the U.S. These decisions will be based on prior criminal history of the alien, country of citizenship and other humanitarian factors and may affect the location to which the alien is transported for administrative processing (Note: These locations will be discussed in a later part of this document). The alien and his/her property will be turned over to ICE Detention and Removal (DRO) for transport to the designated processing facility.

Aliens Encountered By Agents At the Plant Perimeter:

During this operation, employees may attempt to elude examination by ICE agents by attempting to flee the plant as agents are entering. ICE agents on the perimeter, in clearly marked ICE clothing and gear, may have reasonable suspicion to believe that employees attempting to flee the plant are undocumented aliens. These employees may be detained and questioned as to their identity, citizenship and immigration status. Again, if confronted with a situation where an employee is merely walking out of the building and refuses to speak to the Special Agent, absent reasonable suspicion that the person was unlawfully present or unauthorized to work in the United States the individual may not be detained and must be permitted to leave the facility. Once alienage and removability have been established, any further questioning regarding identity or the use of fraudulently obtained identification documents must be preceded by *Miranda* warnings.

Aliens arrested at the perimeter of the plant will be escorted to the common area of the plant for completion of the FI card. In addition, the alien will be given the opportunity to voluntarily retrieve his/her personal property from his/her locker inside the plant. Notations should be made on the FI card regarding the employee's attempt to elude ICE agents. The employee and his/her property will then be turned over to ICE DRO for transport to the designated processing facility.

Administrative Processing Locations and Procedures for Presenting Aliens for Criminal Prosecution

Given the various administrative processing locations for each arrest site, the procedures for presenting aliens for criminal prosecution for violations of 18 U.S.C. § 1028A or other offenses will vary. Consideration must be given to the jurisdiction in which the violation occurred, and agents must work in conjunction with each affected United States Attorney's Office, ICE Detention and Removal, and the U.S. Marshals Service in order to ensure that aliens who meet the aforementioned prosecutorial thresholds are presented for prosecution in the proper judicial district. Therefore, it is imperative that all aliens subject to prosecution are identified as soon as practicable upon arrival at a designated processing site. In many instances, case agents at each arrest location will have prepared folders for aliens previously identified as likely having committed identity theft. In addition, ICE agents are to conduct IDENT/IAFIS checks in the ENFORCE module as the first step in processing for removal any arrested aliens. This will ensure that aliens with a previous immigration history and/or criminal history are identified and considered for criminal prosecution as soon as possible.

In addition, ICE agents will obtain a standard sworn statement from each alien who has been accepted for prosecution. This sworn statement should be used consistently and supervisory ICE personnel at each processing site must ensure that the statement is executed fully and contained in a target folder, along with other evidence deemed necessary to support the criminal prosecution. This information should be maintained separate from the alien file for each employee, but may contain copies of forms from that alien file that may relate to the prosecution.

A breakdown of each processing site by arrest location will follow, along with criminal prosecution procedures applicable to each site:

Worthington, MN

This plant is located within the jurisdiction of the U.S. District Court, District of Minnesota.

Aliens who are natives and citizens of El Salvador, as well as those aliens who are amenable to release on their own recognizance for humanitarian reasons will be administratively processed at ICE RAC Sioux Falls, 300 E. 8th Street, Sioux Falls, SD.

All other aliens arrested in Worthington, MN will be administratively processed at Camp Dodge, 7105 NW 70th Avenue, Johnston, IA.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing and transported back to the District of Minnesota by ICE agents pending case acceptance from the Office of the United States Attorney. These aliens will be transported with the aforementioned

prosecution folders and will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

All other aliens will be turned over to ICE DRO in St. Paul, MN for detention or voluntary return to Mexico, if applicable.

Grand Island, NE

This plant is located within the jurisdiction of the U.S. District Court, District of Nebraska.

Aliens who are amenable to release on their own recognizance for humanitarian reasons will be administratively processed at ICE RAC Grand Island, 220 N. Walnut Street, Grand Island, NE.

All other aliens arrested in Worthington, MN will be administratively processed at Camp Dodge, 7105 NW 70th Avenue, Johnston, IA.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing and transported back to the District of Nebraska by ICE agents pending case acceptance from the Office of the United States Attorney. These aliens will be transported with the aforementioned prosecution folders and will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

All other aliens will be turned over to ICE DRO in St. Paul, MN for detention or voluntary return to Mexico, if applicable.

Marshalltown, IA

This plant is located within the jurisdiction of the U.S. District Court, Southern District of Iowa.

All aliens arrested at this site will be administratively processed at Camp Dodge, 7105 NW 70th Avenue, Johnston, IA.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing pending case acceptance from the Office of the United States Attorney for the Southern District of Iowa. These aliens will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these

aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

All other aliens will be turned over to ICE DRO in St. Paul, MN for detention or voluntary return to Mexico, if applicable.

Greeley, CO

This plant is located within the jurisdiction of the U.S. District Court, District of Colorado.

All aliens arrested at this site will be administratively processed at One Denver Federal Center, Sixth Avenue and Kipling, Bldg. 810, Denver, CO.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing pending case acceptance from the Office of the United States Attorney for the District of Colorado. These aliens will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

All other aliens will be turned over to ICE DRO in Denver, CO for detention or voluntary return to Mexico, if applicable.

Hyrum, UT

This plant is located within the jurisdiction of the U.S. District Court, District of Utah.

Aliens arrested at this location may be processed at any one of the following sites, depending on the number of total arrests: ICE RAC Ogden, 2487 S. 1620 West, Unit E, Ogden, UT; ICE DRO Salt Lake City, 5272 S. College Drive, Murray, UT; or ICE RAC Provo, 1793 W. Business Park Drive, Orem, UT.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing pending case acceptance from the Office of the United States Attorney for the District of Utah. These aliens will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

All other aliens will be turned over to ICE DRO for detention in the Salt Lake City, UT area or for voluntary return to Mexico, if applicable.

In addition, some aliens who are amenable to prosecution for violations of 18 USC 1028A, but who do not meet the minimum prosecution thresholds outlined above, may be turned over to local law enforcement officers for prosecution in Cache County, UT for state forgery violations. Case agents from RAC Ogden have been working with local authorities to identify these aliens in anticipation of this operation. All aliens turned over to state or local authorities for prosecution will be transported by those agencies. ICE agents will lodge detainers accordingly.

Cactus, TX

This plant is located within the jurisdiction of the U.S. District Court, Northern District of Texas.

All aliens arrested at this location will be initially transported to the Amarillo Border Patrol Station, 205 E. 5th Street, Amarillo, TX and searched through IDENT/IAFIS in the ENFORCE module at the request of the Assistant U.S. Attorney assigned to this case in order to identify any criminal aliens or other egregious immigration recidivist violators.

Aliens who are amenable to release on their own recognizance for humanitarian reasons will be administratively processed at the Amarillo Border Patrol Station and released.

Aliens who are expected to be presented for criminal prosecution who are arrested at this plant will be held in ICE custody after administrative processing pending case acceptance from the Office of the United States Attorney for the Northern District of Texas. These aliens will remain in ICE custody until their case is accepted for criminal prosecution. Once criminal prosecution is accepted by the Office of the United States Attorney, these aliens will be remanded to the custody of the U.S. Marshals Service and an ICE detainer will be lodged accordingly.

Aliens arrested at this location who are amenable to voluntary return to Mexico will be transported from the Amarillo Border Patrol Station to the ICE DRO El Paso Service Processing Center, 8915 Montana Avenue, El Paso, TX by ICE DRO for administrative processing and voluntary return to Mexico.

Aliens arrested at this location who will be detained in ICE custody will be transported from the Amarillo Border Patrol Station to ICE DRO in Albuquerque, NM by ICE DRO for administrative processing and detention in the Albuquerque, NM area.

All other aliens will be turned over to ICE DRO for detention.

Prosecution Guidelines for Operation Wagon Train

The primary goal of Operation Wagon Train is to remove aliens from the Swift plants and place them in civil administrative immigration proceedings. ICE's investigation of the I-9's obtained from Swift suggests that a subset of aliens may also have committed

serious crimes which are appropriate for criminal prosecution. Because this operation may involve an unusually large number of case referrals to U.S. Attorney's Offices, ICE and the Department of Justice have cooperated to establish guidelines and procedures for identifying and handling the subset of cases that may be referred for criminal prosecution.

In consultation with the United States Department of Justice, uniform guidelines have been developed to assist each ICE office in identifying those aliens to be presented for criminal prosecution as outlined in the three "tiers" described below. Although we will not know for certain the kinds of cases we will be able to present until aliens have been identified and interviewed, the largest category of cases will likely be prosecutions for violations of Title 18 USC 1028A [Aggravated Identity Theft]. These prosecutions will be based, in most cases, on the underlying offense of Title 18 USC 1015(e) [False Statement or Claim to be a citizen or national of the U.S. to engage unlawfully in employment in the U.S.] in connection with the Form I-9 executed by each alien during their employment at Swift and Company. These guidelines, broken down into three tiers, are as follows:

1) Tier 1 –

- a) Aggravated Felon Criminal Re-Entry After Deportation [8 USC 1326]
- b) Aliens in possession of a firearm [18 USC 922(g)(5)]
- c) Assaults on Agents [18 USC 111]

2) Tier 2 –

Aliens found to have committed Aggravated Identity Theft (with false claim to be a U.S. citizen or national to engage in employment as the aggravating factor) where the I-9 was signed on or after July 15, 2004 and at least one of the following additional characteristics are present:

- a) The alien has been convicted of a crime in either their true or the assumed name, or
- b) The alien has used the assumed identity for additional purposes other than employment (i.e., obtained credit, registered to vote, etc.), or
- c) There is an FTC report from a victim, or
- d) The alien is on probation, or
- e) The alien has been previously issued an NTA and has failed to appear, or
- f) The alien has been Voluntarily Returned to his/her native country at least one time previously.

3) Tier 3 –

All other aggravated identity theft cases that do not contain the above factors or other criminal activity not covered above.

For cases meeting the above criteria, ICE agents will be required to prepare a prosecution folder containing evidence to support these criminal charges. At a minimum, the following information should be contained in these folders:

- a) A copy of all pertinent documents contained in the alien's Alien File;
- b) An NCIC criminal history printout;
- c) The alien's photograph;
- d) Copies of all identity documents that the alien possessed;
- e) The alien's sworn statement;
- f) The identity and contact information of the ICE interviewing agent (and translator, if applicable);
- g) An executed *Miranda* Warnings advisement;
- h) The Form I-9 completed by the alien at Swift and Company, and copies of any identity documents attached to said form or maintained in the alien's personnel file;
- i) An FD-249 fingerprint card;
- j) A copy of the identity theft complaint obtained by the Federal Trade Commission pertaining to the identity assumed by the arrested alien (if applicable);
- k) Accurant printouts pertaining to the alien's assumed identity, if available;
- l) Any other information or document that may support a prosecution for Aggravated Identity Theft



U.S. Immigration
and Customs
Enforcement

SERVICE OF PROCESS ELECTION

The Federal Rules of Civil Procedure (FRCP) require the plaintiff to serve you with a copy of the complaint within 120 days of filing suit, or the court may dismiss the suit. The FRCP require the plaintiff to effect service according to the laws of the state where the case is filed. They also prohibit defendants from evading service of process. To effect service, a process server may try to serve you at work, home, or another location. Some individuals find this process inconvenient or embarrassing, and may prefer one of the other options discussed below. Please initial next to the option that you elect:

Option 1: Waiver of Service of Process: You may waive service of process. This option avoids the need for personal service of process and for the assessment of any costs against you for effecting service. It also begins the 60-day clock for your response from the moment of waiver. The risk of signing this waiver is that it may weaken or even waive a potential defense that a court in another district lacks personal jurisdiction over you. Justice Department attorneys do not usually recommend that individuals elect this option.

Option 2: Designation of an Agent for Service of Process: You may designate an ICE employee, usually an OPLA attorney, to accept service of process on your behalf. This option may reduce the costs of service of process, and also reduces the chances that any costs will be assessed against you. Your 60-day deadline to respond to the complaint would begin on the date service is effected on the designated agent. Some Justice Department attorneys believe that this option can weaken a defense of lack of personal jurisdiction. If you elect this option, we will inform opposing counsel and provide you with a copy of the summons, complaint, and other documents served on you.

Option 3: Requiring Compliance with State Service of Process Rules: Finally, you may choose to hold the plaintiff to the requirements of state service of process rules, which may require personal service of process on you. In such a case, a court may assess the costs of service against you, and the Department is not required to indemnify you for those costs.

Please note that you have 60 days from the date of service of process (or waiver of service) to respond to the complaint against you. Your counsel cannot begin to prepare a response on your behalf until he or she represents you. If you request representation by the Justice Department, it may take several weeks for OPLA and the Justice Department to complete and approve your request.

Employee Name (Print) _____ Date: _____

John T. Morton, Assistant Secretary
Immigration and Customs Enforcement

Signature: _____

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