

STANDARD 2.10

STAFF-DETAINEE COMMUNICATION

I. POLICY

Procedures must be in place to allow for formal and informal contact between detainees, ICE staff, and facility staff. Procedures shall permit detainees to make written requests to ICE staff and receive an answer in an acceptable time frame. Detainees may make marriage requests that will be reviewed on a case-by-case basis.

II. STANDARDS AND PROCEDURES

A. Facility Staff and Detainee Contact

Detainees shall have frequent opportunities for formal and informal contact with facility staff, including managerial and supervisory staff. Facility staff will address detainees in a professional and respectful manner. The facility shall also allow detainees to file grievances and communicate directly with ICE/ERO. Facility staff shall immediately refer any questions related to a detainee's immigration removal processes to ICE/ERO.

B. ICE/ERO Access and Detainee Contact

1. **Unannounced Contacts with Detainees**

ICE/ERO shall have access to conduct regular unannounced (not scheduled) visits to the facility's living and activity areas to encourage informal communication with detainees and informally observe conditions.

2. **Scheduled Visits**

The facility shall accommodate ICE and DHS components' access to the facility and its detainee population upon request from ICE.

3. **ICE/ERO Staff Presence**

ICE/ERO may place dedicated ICE staff at the facility. Such ICE staff shall have unimpeded access to all areas of the facility 24 hours a day, 7 days a week as well as access to any records associated with detainees.

4. **Documenting ICE visits**

Each facility shall develop a method to document ICE visits.

C. Requests to ICE/ERO from Detainees

All detainees shall have the opportunity to submit written questions, requests, or concerns to ICE/ERO staff. The facility must ensure that adequate supplies of detainee request forms and writing implements are available.

The facility shall have written procedures to route detainee requests to the appropriate ICE/ERO official(s).

Detainee request forms shall be delivered to ICE/ERO staff without reading, altering, or delaying such requests. The detainee may, if he or she chooses, seal the request in an envelope and clearly mark the envelope with the name, title or office to which the request is to be forwarded.

A detainee may obtain assistance from another detainee, housing officer, or other facility staff in preparing a request form. The facility shall ensure that procedures enable detainees with special needs, including detainees with disabilities, illiterate detainees, and limited English proficient detainees, to complete and submit request forms on an equal basis to detainees without special needs. The facility will accommodate the special assistance needs of such detainees in making a request.

1. Response Times

Detainee requests shall be forwarded to ICE/ERO within 72 hours. The facility will provide ICE/ERO's returned response to the detainee within 24 hours.

2. Record Keeping and File Maintenance

The date the request was forwarded to ICE/ERO and the date it was returned shall be recorded.

All completed detainee request documents will be retained in the detainee's detention file or a retrievable electronic archive.

3. ICE/ERO Informational Posters

The facility administrator shall ensure that all ICE/ERO posters or other information are provided in every housing unit and in appropriate common areas (e.g., recreation areas, dining areas, processing areas).

4. Additional Facility Responsibilities

The facility shall provide contact information for ICE/ERO and the scheduled hours and days that ICE/ERO staff is available to be contacted by detainees at the facility. Contact information shall be updated quarterly or more frequently as necessary to reflect changes in ICE/ERO personnel.

ICE/ERO may provide a secure drop box for detainees to correspond directly with ICE/ERO management. Only ICE/ERO personnel shall have access to the drop-box. If ICE/ERO does not collect information from the drop box for more than five days, the facility will notify ICE/ERO.

D. Marriage Requests

ICE/ERO will review and approve detainee marriage requests on a case-by-case basis.

When a request is approved, the detainee, legal representative, or other individual(s) acting on his or her behalf must make all arrangements for the marriage. Arrangements may include, but are not limited to, taking a blood test, obtaining a marriage license, and retaining an official to perform the marriage ceremony.

The marriage may take place inside the facility, or ICE/ERO may take temporary custody for marriage arrangements.