



# Virtual Attorney Visitation Program Overview

## FY23 ACCOMPLISHMENTS

### Program Overview

The Virtual Attorney Visitation (VAV) has proven to support ICE's mission by safeguarding the legal processes across federal agencies. By improved remote access to legal representatives, ICE improves noncitizens' access to due process and confidentiality, consistent with ICE detention standards. Utilizing platforms such as Microsoft Teams, Socrates 360, and Cisco WebEx, the VAV program allows legal representatives to meet with their clients or prospective clients virtually using video technology in private rooms or booths to ensure confidentiality of communications during remote legal visits. At no cost to the detained noncitizen or the legal representative, the ICE funded VAV program allows legal representatives to schedule client meetings in advance and arrange for interpretation, as needed. Although VAV does not substitute for in-person meetings, it does provide an alternative for attorneys to communicate with clients in a timely and efficient manner. VAV also ensures confidentiality for meetings with asylum officers, Immigration Judges, or mental health evaluators.

### In FY23

- VAV was expanded from twenty-four (24) to thirty-five (35) detention facilities.
  - Per the FY23 Year End Custody Management Division Population Reporting Summary, 24,204 detained noncitizens have access to virtual legal visitation or 65% of the total detained population.
- ICE expended over \$13.8M to implement or expand VAV in detention facilities. In total, ICE procured 428 privacy booths (or designated rooms) and financed an increase in personnel costs at ICE detention facilities to support virtual legal visitation and a rise in asylum interviews, especially at the 9 designated post Title-42 facilities.
- ICE incorporated new VAV contract language into 34 ICE detention facilities, which requires detention facilities to develop an online scheduling system for virtual legal visitation, the development and implementation of procedures by which detained individuals and legal representative may exchange confidential and non-confidential messages, as well as legal documentation via electronic means (e.g., facsimile or email). The contract language also supports DHS's overall mission by specifying that the privacy booths or rooms, when not utilized, should be made available for asylum interviews, credible fear interviews, forensic competency evaluations, or immigration judge (IJ) review hearings.



*\*Please note that ERO did not have access to funding for VAV until late in FY 2023, therefore the VAV capabilities within many ICE detention facilities will be operational later in the calendar year. A full list of current VAV facilities can be found here: <https://www.ice.gov/detain/detention-facilities/vav>. ICE will update this list as new facilities operationalize VAV.*